

accord, and to extend invitations which perhaps would appear presumptuous if extended by any other Member of the Senate. I certainly know of no one in my group who would feel disposed, for example, to call a meeting or try to get groups of divergent opinion together, and I assume other Senators would feel the same degree of diffidence. But I am equally certain that no Member of the Senate would fail to respond most cordially to any invitation, however informal it might be, which might be extended by the able chairman of the Committee on Foreign Relations, to see if certain adjustments might not be made which might result in an accord.

Mr. CONNALLY. I thank the Senator from Florida for his usual graciousness in saying nice things about other Senators. I assure the Senator, just as I did a while ago, that we are approachable. I do not know what these Senators have in mind. I shall be glad to talk with them between now and tomorrow, and with any other Senators with whom they wish to confer, but, so far as limiting debate is concerned, if the hope they have shall be realized, there will be all the more reason why we should not have so much debate.

Therefore, Mr. President, I make the request that, beginning tomorrow, no Senator shall speak more than 15 minutes on the resolution and 15 minutes on any amendment.

Mr. HATCH. Reserving the right to object, I merely wish to observe that there are only a few Senators on the floor at this time. I happen to know how anxious the Senator from Texas is to limit debate and to dispose of the pending matter, and I think we are in quite complete accord. But I also know that there are some Senators who desire to speak longer than the time indicated by the Senator from Texas. Therefore, I am duty bound and compelled at this time to object to the request made by the Senator from Texas.

The PRESIDING OFFICER. Objection is heard.

Mr. CONNALLY. The Senator from New Mexico is entirely within his rights in making the objection. I will say, however, that there are a number of amendments on the desk, and the absent Senators who are clamoring to be heard could speak 15 minutes on every one of the amendments if they should so desire, even under the proposed limitation of debate. But there is no use discussing that.

LEGISLATIVE RIDERS ON APPROPRIATION BILLS

Mr. MURDOCK. Mr. President, on several occasions when I was a Member of the House of Representatives I made statements concerning the attachment of legislative riders to appropriation bills. I condemned that practice as vigorously as I possibly could. I have also on the floor of the Senate condemned the same parliamentary procedure; that is, the procedure which has been indulged in to too great an extent, in my opinion, in

the last 2 or 3 years, of attaching legislative riders to appropriation bills.

On October 30, a very fine editorial on this very question appeared in the Washington Post, and I ask that the editorial be printed at this point in the RECORD following my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

APPROPRIATION LAWS

The Comptroller General has brought to light another instance of legislation through an appropriation act. He has concluded that Congress, in providing funds for the National Labor Relations Board, forbade that agency to investigate complaint cases arising out of agreements between management and labor if these agreements were in existence for more than 3 months prior to the filing of the complaint. As a result, the N. L. R. B. has been forced to drop proceedings in nearly all cases involving complaints of company domination of unions. The effect of this is to nullify one vital section of the Wagner Act.

Ironically, this proviso was written into the appropriation measure at the behest of the metal trades department of the A. F. of L. It was designed to smite the C. I. O., particularly in the jurisdictional dispute over Kaiser shipyard employees. Now it has boomeranged badly. It operates to injure both C. I. O. and A. F. of L. and to entrench the company unions which both organizations seek to overcome and which the Wagner Act sought to disestablish. Wherever these company unions are shielded from the N. L. R. B. they will make true collective bargaining impossible.

If Congress desires to modify the Wagner Act, it has appropriate procedures for doing so. So drastic a modification as this would clearly merit hearings before a responsible committee and a full opportunity for debate. Certainly it should not be slipped across as a rider to an appropriation bill. This method of legislating by indirection is a violation of the House's own rules and an invitation to chaos. In the instant case it amounts to a legalization of contracts which Congress itself has declared to be illegal. The right hand of Congress had better be aware of what its left hand is doing.

CONFIRMATION OF NOMINATIONS IN THE JUDICIARY

Mr. CONNALLY. Mr. President, as in executive session, I ask unanimous consent that two nominations on the calendar be confirmed.

The PRESIDING OFFICER. The nominations will be stated.

The legislative clerk read the nomination of George Vice to be United States marshal for the northern district of California, and the nomination of Robert E. Clark to be United States marshal for the southern district of California.

The PRESIDING OFFICER. Without objection, the nominations are confirmed, and the President will be notified.

RECESS

Mr. CONNALLY. Mr. President, I move that the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 10 minutes p. m.) the Senate took a recess until tomorrow, Wednesday, November 3, 1943, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate November 2 (legislative day of October 25), 1943:

THE JUDICIARY

UNITED STATES MARSHALS

George Vice to be United States marshal for the northern district of California.

Robert E. Clark to be United States marshal for the southern district of California.

HOUSE OF REPRESENTATIVES

TUESDAY, NOVEMBER 2, 1943

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Lord, our gracious Father and our eternal God, we praise Thee that wherever there is a longing and a seeking soul there Thou art to comfort and to bless. Breathe upon us all Thy sweet and gracious spirit, to calm, to purge, and strengthen our hearts. Enable us to enter into that unshaken and unshakable peace which belongs to those who enter into fellowship with Thee.

We pray for all the weary, the oppressed, and the homeless; make us more active and generous, and allow no yoke of bondage to cast its snares about our feet and entangle us in our labors. O cleanse and purge our hearts from any evil purpose and withdraw us from the distractions of indifference and compromise. Father in heaven, let Thy blessed providence brood over the confusions of men that they may bring order from misunderstanding and may know better the whole compass and depth of Thy will. We pray Thee to restrain the violent actions of misguided men everywhere and bring them together in peace and concord for the sake of those who are suffering and dying that we may live. We ask every blessing to attend our President, our Speaker, and the Congress, and enable us to be true to our best selves and to our highest resolutions. Through Christ, the everlasting Word. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Vice President had appointed Mr. BARKLEY and Mr. BREWSTER members of the joint select committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers in the following departments and agencies:

Department of the Interior.

Department of the Navy.

Department of War.

Tennessee Valley Authority.

War Manpower Commission.

The message also announced that the Senate agrees with amendments to the

amendments of the House to a bill of the Senate of the following title:

S. 400. An act for the organization and functions of the Public Health Service.

EXTENSION OF REMARKS

Mr. PRIEST. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an excerpt from a statement made by Mr. Robert M. Black, president of the White Motor Co.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BECKWORTH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an article written by Hubert M. Harrison, of the East Texas Chamber of Commerce.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. LARCADE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a short newspaper article from the Washington Evening Star.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SULLIVAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial from the Evening Star of Washington, D. C.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. SULLIVAN. Mr. Speaker, I ask unanimous consent that on today, after the disposition of business on the Speaker's table and special orders heretofore entered, I may address the House for 20 minutes.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BURDICK. Mr. Speaker, I ask unanimous consent that on Thursday next, after the completion of the legislative business of the day and the special orders heretofore entered, I may address the House for 20 minutes on the subject of the case of the railroad employees.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. MASON. Mr. Speaker, I ask unanimous consent to extend my own remarks on the subject of the proposed increase of postal rates and to include therein a short editorial on the same subject.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BUFFETT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include therein a portion of a chapter of a book by Howard E. Kershner entitled "Incredible Folly of Starving Our Friends."

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a short newspaper article.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. REED of New York. Mr. Speaker, on yesterday consent was given me to insert in the Appendix of the RECORD a speech delivered by Herbert Hoover in Kansas City. Word comes back from the Government Printing Office that it exceeds the limit by \$105. Notwithstanding this I ask unanimous consent that the speech may be extended in the RECORD.

The SPEAKER. Without objection, the extension may be made.

There was no objection.

THE MOSCOW CONFERENCE

Mr. McCORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. McCORD. Mr. Speaker, when the historians of the future undertake to chronicle the rapidly changing events of this era, one of the brightest pages will be devoted to the Moscow conference. It will rank in importance with the conference of the North Atlantic and Quebec, for out of this conference is created a new hope and in the hearts of the peoples of the world a new courage is born. The program adopted will have the effect of bringing the war to an earlier conclusion and the establishment of a peace that will be enduring. Outstanding statesmanship makes this a historic event and Americans will always refer with pride to the part played by an outstanding statesman of the world—a great American, a Tennessean—the Honorable Cordell Hull.

EXTENSION OF REMARKS

(Mr. SIKES asked and was given permission to extend his own remarks in the Appendix of the RECORD.)

THE LATE HONORABLE C. WILLIAM RAMSEYER

The SPEAKER. The gentleman from Iowa [Mr. GILCHRIST] is recognized.

NONE KNEW HIM BUT TO LOVE HIM—NONE NAMED HIM BUT TO PRAISE

Mr. GILCHRIST. Mr. Speaker, I speak of our late beloved statesman and jurist and former Congressman from Iowa, Judge C. William Ramseyer, who died yesterday while in the full bloom and vigor of his judicial work in the Court of Claims.

He was born on a farm in Ohio in 1875. His parents emigrated from Switzerland in 1874. They moved to McLean County, Ill., in 1877. Since 1877, Davis County, Iowa, has been his residence. He was married during his first term in Congress to Ruby Phillips, and brought her as a bride to this city. They have been blessed with two daughters, Jane and Barbara, both married.

He was graduated from the Iowa State Teachers College, and from the College of Law at the State University of Iowa. He taught school 6 years; practiced law in Bloomfield 9 years. Was elected county attorney in 1910, and was re-elected in 1912. In 1914 he was elected to the Sixty-fourth Congress and served in nine Congresses for a period of 18 years continuously.

At the close of the Seventy-second Congress on March 4, 1933, he was made commissioner in the Court of Claims and he served in this capacity up until the time of his death on yesterday, November 1, 1943.

It is interesting to note that Judge Green, of Iowa, a Republican, who served with him in Congress, was then on the Court of Claims, as was also the present Chief Justice Whaley, Democrat, of South Carolina. Each of them knew Judge Ramseyer and had served with him in Congress and they were both very influential in making him one of the commissioners of that court.

The Court of Claims relied upon Judge Ramseyer and upon his legal learning, judicial wisdom, and uncompromising integrity, and it sent him as commissioner to different corners of the world to take the testimony and report findings of law and fact. He went to Panama in an important matter and to Hawaii in another. These litigations involved large sums of money, and just now he was working on the famous Silas Mason case in connection with the Coulee Dam, which involves more than a million dollars worth of property. His reputation as a jurist and judge is unexcelled. He was an indefatigable worker and sought most diligently to render justice in all decisions. He believed that justice is a thing that the righteous pray for and that the wicked fear. Lawyers and attorneys who had faith in their cause were always anxious to have it assigned to Judge Ramseyer. Just a few days ago one of the attorneys in some Indian litigation told me that he was delighted to know that his case had been referred to our deceased friend for trial because this attorney was now sure of being given a fair deal and a wise judgment or decree. Judge Ramseyer is just one more example of the Biblical proverb:

Seest thou a man diligent in his work? He shall stand before kings.

On yesterday Judge Ramseyer went to the court in pursuance of his duties. Folks there noticed that he retired from the room rather abruptly and went to his own office. His secretary then discovered him to be in great distress and he was immediately taken to the Emergency Hospital. Mrs. Ramseyer was called. Doctors administered oxygen treatment but he passed away in another hour at about 1 o'clock in the afternoon.

We all know about the Ramseyer rule which he wrote. It is a rule that has guided the deliberations of this body for more than 14 years. It has come to me through his son-in-law that Judge Ramseyer was both amused and gratified at the success of the Ramseyer rule. "It was so simple," said he. But we who

make use of this rule to guide our deliberations must remember with Emerson, "That nothing is more simple than greatness. Indeed, to be simple is to be great." So therefore this rule alone is a monument to the greatness of our departed friend. It will never be repealed but will guide deliberative bodies for centuries yet to come. Thus, his work lives after him.

Ramseyer always took an active part in legislation and was logical and forceful in argument. He had a certain kindness and grace of demeanor that charmed both friends and opponents—this was one of the reasons for his success. He was learned and lenient and carried his argument without sting. He was successful because he believed in himself and in the righteousness of his cause. Tennyson described him when he said:

My good blade carves the casque of men—
My tough lance thrusteth sure,
My strength is as the strength of ten—
Because my heart is pure.

I am the only Member of the present Iowa delegation that served with the man whom we affectionately called Bill. Those in service before me report that he was very much interested in agricultural matters and insisted upon raising the income of farmers so that they and their families could live with all the comforts and conveniences of life in a Christian twentieth-century civilization. He always supported and believed in the pay-as-you-go principle and fought for it even during and after the First World War. In fact while in Congress he was active in all legislation.

Mr. Speaker, there is an inscription on the monument in the old St. Paul churchyard in London dated four centuries ago which reads: "Virtue lives after the funeral."

No more fitting epitaph could be written at the last resting place of our friend when interred at Bloomfield next Saturday than this for William Ramseyer was not alone of splendid legal attainment and ability but he was also excellent in all the virtues. "His life was gentle, and the elements so mixed in him that nature might stand up and say to all the world, 'This was a man.'"

Judged only by his importance and worth, it may be said that his was a short life; but there is an appointed time on earth for all men, and his memory will live and his influence prevail for long years yet to come.

The SPEAKER. The Chair recognizes the gentleman from Iowa [Mr. LECOMPTE].

Mr. LECOMPTE. Mr. Speaker, in the death of Hon. C. W. Ramseyer, Iowa has lost one of the strong men of the State. Mr. Ramseyer was elected to Congress in 1914, in the Sixty-fourth Congress, from the old Sixth District of Iowa, and he was reelected to every succeeding Congress, including the Seventy-second in 1930, covering a period of 18 years. Eighteen years is a long period of service in the great Congress, and at all times he was a useful and active member.

Following the 1930 Federal census an unfortunate situation developed in the

State of Iowa. By reason of the loss of population, Iowa lost two seats in the Lower House of Congress, and as a result thereof a redistricting of the State occurred and the old Sixth District and much of the Eighth District were thrown together to form a new district, the one which I have the honor to represent at this time.

Mr. Ramseyer was never defeated in the seven counties that comprised his old district. In his last primary race in 1932 he carried every county. Practically every township and precinct stood by him loyally, as the voters had done for 18 years. He was defeated in the primary by a narrow margin by Hon. Lloyd Thurston, who served honorably in this House for many years. Mr. Ramseyer never had a close or difficult contest for election during the 18 years of his service.

The old Sixth District of Iowa has sent distinguished men to Congress. Gen. J. B. Weaver, who was later a candidate for President, represented the Sixth District in the earlier days following the Civil War. Maj. John F. Lacey represented that district for 20 years and was author of some of our most important conservation measures. Hon. N. E. Kendall, afterward Governor of Iowa, a very great orator, served 4 years in Congress from the old Sixth District. Hon. C. W. Ramseyer now takes his place among the galaxy of great men who have come from southern Iowa.

Mr. Ramseyer was a conscientious, careful, conservative legislator. He was regular in his politics but he was not intensely partisan. He viewed every measure on its merits. He cooperated with his fellow colleagues. He had the affection, I know, of Members of Congress on both sides of the aisle. Following his retirement from Congress he served honorably, usefully, and well with the Court of Claims, and was at his post of duty yesterday morning when the call came to him. The great State of Iowa mourns the loss of an able man in the death of Hon. C. W. Ramseyer.

During his congressional service he was at various times a member of the Ways and Means Committee, the Rules Committee, the Post Office and Post Roads, and other important committees. At all times he was a giant in debate. At one time his name was mentioned for the Speakership.

Perhaps he will be best remembered as the author of the Ramseyer rule—a rule that enables Members to understand bills clearly and proceed carefully and wisely.

The best years of his life—from 39 to 57—he served in the House and he gave to the service his tireless energy and conscientious effort.

Throughout Iowa he was loved and esteemed. Young men knew the value of his counsel. Older men enjoyed his confidence and his companionship. The most ideal relations prevailed in his home.

With an aching heart I acknowledge my personal obligations to this distin-

guished leader and fearless and forward-looking statesman.

Truly it can be said, a strong man has left us. We will not soon see his like again.

The SPEAKER. The Chair recognizes the gentleman from Massachusetts [Mr. MARTIN].

Mr. MARTIN of Massachusetts. Mr. Speaker, it is with profound regret that I learn of the death of our former colleague, Judge Ramseyer, of Iowa. It was my privilege to serve with Judge Ramseyer not only in the House but also on the Committee on Rules. He was a devoted student of all subjects that came before the Congress, and he was an expert on parliamentary law. As has been mentioned, he was the author of the Ramseyer rule, which for many years has functioned so well in this House. This rule has been responsible for the saving of vast sums of public money, and it has contributed in the interest of better legislation. Our deceased friend served not only in the House but on the judicial bench, with honor and distinction. As a judge he could be depended upon to serve with firm justice and fairness. Judge Ramseyer was a splendid public servant and a fine American. We all join with the Iowa delegation today in mourning his untimely passing.

The SPEAKER. The Chair recognizes the gentleman from Michigan [Mr. MICHENER].

Mr. MICHENER. Mr. Speaker, may I join in paying my tribute of love and respect to the memory of our colleague of a few years ago, Judge William Ramseyer, who represented an Iowa district in the House for many years?

Judge Ramseyer was in the House when I came here in 1919. Agriculture had no more enthusiastic advocate in Congress in his day. He was a lawyer of splendid ability and judicial temperament. He was a polished gentleman. It was my privilege to serve with him on the Rules Committee. To know him was to love him. He was a student of parliamentary procedure. As a presiding officer in the House when the Republicans were in power and, by reason of his clear presentation in debate, he had much influence in establishing procedural precedents that will last so long as this parliamentary body endures. The so-called Ramseyer rule is well known to every Member of the present Congress. This rule is a monument to Judge Ramseyer's foresight and perseverance. Surely it would not have been embodied in the House rules at the time it was included were it not for his sponsorship. We all regret this splendid man's passing, and extend our sympathy to the bereaved family.

The SPEAKER. The Chair recognizes the gentleman from Iowa [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Speaker, the death of Mr. C. W. Ramseyer, former Member of the House of Representatives from Iowa, is a distinct loss to the people of his home State and the Nation. Mr. Ramseyer served the State and the Nation long and well. He will always be

remembered as a gentleman of outstanding character and integrity, a devoted family man, and forthright citizen. As a public servant, he was just and fair to all. He possessed the vision and understanding that makes for true statesmanship. Iowa sincerely mourns his passing.

The SPEAKER. The Chair recognizes the gentleman from Texas [Mr. JOHNSON].

Mr. LUTHER A. JOHNSON. Mr. Speaker, for 10 years I served in the House with Hon. C. William Ramseyer, a former Member of the House of Representatives from the State of Iowa, and who passed away in the city of Washington yesterday.

During his service in this body he was an outstanding Member and a recognized leader, and wielded a great influence in the shaping of legislation.

He was a man of exceptional ability, possessing a fine, judicial, and analytical mind, and he could weigh all issues fairly and impartially, and this he always did. He was not a partisan, and always placed his country and its welfare above every other consideration. He was not regarded as a reactionary in his views, but as a conservative progressive.

He participated frequently in debates in the House, and his arguments were always logical, persuasive, and convincing, because he had the complete confidence of the House, for he was honest, courageous, and sincere.

He was the author of the Ramseyer rule in the House, which requires committees, in reporting bills, to compare the proposed change in the law with existing law, and which has been helpful in enabling the House to intelligently pass upon the effect of new legislation, and if he had done nothing else while a Member of the House he would have left the Congress of the United States indebted to him.

Since his retirement as a Member of Congress Judge Ramseyer has served continuously for about 10 years as Commissioner of the United States Court of Claims, in which position he has made a splendid record and rendered very valuable service, and went to his office in that court yesterday morning, apparently in the best of health, and was engaged in the discharge of his duties when the attack came which caused his death within a few hours.

While we belonged to different political parties, the center aisle did not prevent us from becoming good friends, and our association together ripened into a warm friendship which has endured throughout the years. His wife and mine became intimate friends, and our families have been closely associated. His passing is a distinct loss to his country and a deep personal loss to me.

The SPEAKER. The chair recognizes the gentleman from Mississippi [Mr. RANKIN].

Mr. RANKIN. Mr. Speaker, it was a distinct shock to me to learn of the passing of Bill Ramseyer, with whom I served in this House for 12 years and whom I consider one of the most valuable men I have ever met.

He has built for himself a monument, inadvertently, as someone has said, in

the passage of the Ramseyer rule. Shakespeare said:

Let fame, that all hunt after in their lives,
Live registered upon our brazen tombs,
And then grace us in the disgrace of death;
When, spite of cormorant devouring Time,
The endeavor of this present breath may buy
That honour which shall bate his scythe's
keen edge,
And make us heirs of all eternity.

Of all the men who served here during his day I dare say that Bill Ramseyer's name will live longer in the history of parliamentary government than that of any of the rest because of his service in the development and promulgation of the Ramseyer rule.

But that is not what I loved Bill Ramseyer for. I loved him because he disregarded party lines when it came to fighting for fundamental principles. He was what we call a liberal Republican. He was liberal without radicalism; he was progressive without fanaticism, democratic without communism, American without any Fascist or reactionary leanings, a Christian without hypocrisy, and a man without guile.

One of his greatest fights was for an adequate inheritance tax. He labored on it day in and day out, year in and year out. He realized that although our Government is not more than 150 years old, less than 5 percent of our people own more than 90 percent of its wealth. He saw that growing concentration of wealth which he thought would probably result in the ultimate wreckage of his country, and with a spirit devoted to this cause he bucked the leaders of his own party and strove to correct that condition. He agreed with Oliver Goldsmith when he said:

Ill fares the land, to hastening ills a prey,
When wealth accumulates, and men decay;
Princes and lords may flourish or may fade;
A breath can make them, as a breath has made;

But a bold peasantry, their country's pride,
When once destroy'd, can never be supplied.

I know of no man who rendered a greater service in a greater cause than Bill Ramseyer did in struggling for an adequate inheritance tax that would not only provide revenues but would break up the large fortunes that are now accumulating in dead hands and turn them back through the channels of our economic life. If his policies had prevailed, we could not then have had the ridiculous spectacle we have today of an offspring of a former family of wealth inheriting \$70,000,000, escaping the payment of one penny of taxes, and then using it to finance a subversive publication.

God give us more men like Bill Ramseyer, "Men whom the lust of office does not kill; men whom the spoils of office cannot buy."

I knew him in his home. I knew his elegant wife and his lovely children. His family life was ideal. No man who ever came to Congress, in my opinion, measured up more thoroughly to all those great standards of statesmanship, of fatherhood, of manhood, and of Americanism than Bill Ramseyer from Iowa.

Mr. KNUTSON. Mr. Speaker, in the passing of Judge Ramseyer, those of us who have served here for two decades

feel that we have lost a fine friend, and the Nation a splendid citizen. In my time, Iowa has had many able men represent her in Congress. Iowa has been fortunate in having unusually strong delegations, according to my recollection, and I think I can say without disparagement that Mr. Ramseyer was one of the ablest of those who have come from that State within my memory. Not only was he a deep student, a clear thinker, but also a hard worker. He was a fine American who placed his country first, and his memory will long be cherished by those who were privileged to serve with him.

Mr. JENSEN. Mr. Speaker, it was with profound sorrow that I learned of the death of former Congressman Ramseyer, of Iowa. It has been my great privilege to have many interesting heart-to-heart talks with Mr. Ramseyer, whose counsel was always timely and good. He was a great statesman, a great American, a devoted husband and father, and a real man. Iowa will miss him, as will everyone who knew Mr. Ramseyer. He goes to the Great Beyond. The Supreme Commander in Chief of Heaven and Earth has willed it so. My heart goes out to his loving, devoted wife and family. May the same God who called him home give his loved ones strength and courage to bear the great loss of the one who we all were so proud to call our friend.

Mr. REED of New York. Mr. Speaker, it was not until late last evening that I received word of the death of my very dear friend, William Ramseyer. I know him, and I knew him well. My family and his family were closely associated. We were frequently entertained in his home, and he was entertained in ours here and also up in the country on our farm. Much has been said here in regard to his great record. I would say that the greatest contribution that William Ramseyer had made to his country is to present to the country at all times the figure of a true and valuable American, because of his sterling character. No man ever had a finer character than William Ramseyer, and to know him was to respect him. To know him well was to love him. Do you know that a man in a public position for any length of time assumes a tremendous responsibility for the upbuilding and preservation of this great Republic of ours? It has been said, and truly said, that there is no act of man which is not the beginning of a chain of consequences so long as that no human providence is high enough to give us a prospect to the end. Men of the character of William Ramseyer travel on down through the ages. He will be making his contributions to the strength of this Republic many years hence. I never tire of thinking of what a great civic leader, living in the Golden Age of his country, would often say to young men who were about to become citizens. I refer to Pericles. He would take the young men into the public square, point up to the Parthenon, the most beautiful structure in all the world, and say to them, "I would have you, young men, day by day fix your eyes upon the greatness of Athens until you be-

come filled with love of her, and when you are filled with the spectacle of her glory, reflect that it has been acquired by men who knew their duty and who had the courage to do it."

That spirit of Pericles still works in the hearts of the young men of Athens, and, of course, that country because of it will again be free. Hon. William Ramseyer has by his clean, wholesome family life and pure public life set a splendid example to the young men who will determine the future of this great republic.

My sympathy and that of my family goes out to his lovable family, in this dark hour of their great bereavement.

Mr. MARTIN of Iowa. Mr. Speaker, I was very greatly shocked to hear of Congressman Ramseyer's death. It was my privilege to be a resident of the old Sixth Iowa District when he first came to Congress to represent that district in 1914. I was a constituent of his until I took up my residence in my present congressional district in 1921. During all those years I learned to know and to admire the great statesmanship of Congressman Ramseyer. It was just 30 years ago at this time that I saw him come forward as a candidate for Congress from the old Sixth District of Iowa. He was recognized for the great record that he had made in his earlier years, and his worthiness to represent that district in the House of Representatives.

It was also my great privilege when I came to Washington to represent the present First Iowa District in 1939, to meet Congressman Ramseyer here in Washington and to look to him and his friendly, kindly, and sympathetic guidance and advice in taking my own place in the House of Representatives.

Throughout all the years I know of no man who has enjoyed a finer reputation and greater accomplishment in statesmanship than Congressman Ramseyer. I am proud indeed, and Iowa is proud of the great record that he made as a Member of Congress and on the bench.

It is a real privilege at this time to bring you this message dating back before his first coming to Congress, and to do honor to him today. My family still claims the original homestead in the district that he represented, and they have been there for more than 100 years. I know that what I say here is only a feeble presentation of their great admiration and respect for Congressman Ramseyer.

EXTENSION OF REMARKS

Mr. FORD. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the Record and include an article by my colleague from California [Mr. OUTLAND].

The SPEAKER. Is there objection?

There was no objection.

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record.

The SPEAKER. Is there objection?

There was no objection.

Mr. ROBINSON of Utah. I ask unanimous consent to extend my remarks in the Record and include therein a brief

release by the Bureau of Reclamation on the war food program.

The SPEAKER. Is there objection?

There was no objection.

(By unanimous consent, Mr. COFFEE and Mr. KEFAUVER were granted permission to extend their own remarks in the Record.)

Mr. THOMASON. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein a copy of a letter from the manager of the West Texas Chamber of Commerce to the president of the United States Chamber of Commerce on the freight-rate situation.

Mr. SPEAKER. Is there objection?

There was no objection.

STRIKES IN INDUSTRY

Mr. KNUTSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. KNUTSON. Mr. Speaker, for the information of the House I desire to read an Associated Press dispatch from Little Falls, Minn., dated November 1. It reads as follows:

LITTLE FALLS, MINN., November 1.—The Morrison County draft board announced today it would refuse to process any more men for induction until all strikes are settled for the duration.

The four-man board made its stand known in a statement forwarded to State Selective Service headquarters at St. Paul, to President Roosevelt, and to Representative HAROLD KNUTSON, Republican, of Minnesota, and Senator BALL, Republican, of Minnesota.

The board members are Adolph Peterson, a retired road contractor; A. L. Christianson, retired creamery man; George W. Merklings and John H. Hanfler, farmers.

"We, the members of the Morrison County Board," the statement read, "wish to go on record as refusing to process any more men for induction until all strikes are settled for the duration."

"If a million men can go on strike, who is going to support the soldiers already in the armed forces? Why put more men into the service if we cannot take care of those already in."

Mr. Speaker, the American people are becoming truly apprehensive over the labor unrest in this country and they cannot understand why the President does not issue an order to fight or work. If you will not work, go into the Army and fight.

That is the only way to prevent these outlaw strikes. Recently the electrical workers in Tulsa, Okla., went on a strike. The local draft board immediately began inducting the strikers into the military service and that brought the strike to an early end. That policy must be made general if we are to win the fight on the home front. This administration has too long temporized with a problem that is daily becoming more serious and dangerous. From now our policy must be work or fight. Anything short of that is playing into the hands of Hitler and Hirohito.

The SPEAKER. The time of the gentleman has expired.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. McCORMACK. Mr. Speaker, my distinguished friend from Minnesota [Mr. KNUTSON] has called attention to the action of some local board. There is no question but what the coal strike is reprehensible. There is no question but what the coal strikes are subject to severe condemnation. There is no question but what the strikers should go back to work. But that certainly does not justify the action of the local board in taking the action it did. I am not going to condemn those men by severe language, but certainly the reprehensible action of those who are responsible for the coal strike is no justification for any local board reacting thereto and taking the action which that board did as evidenced by the statement of my friend from Minnesota. Two wrongs do not make a right.

The SPEAKER. The time of the gentleman from Massachusetts has expired.

Under the previous order of the House, the gentleman from Wisconsin [Mr. SAUTHOFF] is recognized for 20 minutes.

FEDERAL JUSTICE

Mr. SAUTHOFF. Mr. Speaker, "equality before the law" is an ancient maxim that is well grounded in our theory of justice. Law and order are absolutely essential to civilization—no modern society can exist without it, and no law can or ought to stand which is founded upon inequality. Therefore, in devising laws great care is taken to eliminate inequality as much as is humanly possible.

In spite of these efforts, inequality constantly creeps in, and as trial and error discloses these inequalities, efforts are made by legislative bodies to do away with them. Sometimes facts are distorted and misrepresented which produces confusion and results in a wrong interpretation by legislative bodies, but in the main, legislative bodies are honest and try to serve the people conscientiously and make every possible effort to eradicate any inequalities before the law.

For several generations, a most sinister influence has been gradually and effectively at work upsetting the intent and purpose of the legislative body in drafting the law. This influence has been the will of the judiciary. Time and again decisions have been rendered by judges in disregard of the express legislative intent. Such judgments have too often been an expression of the prejudice or political philosophy of the judge, who through force of circumstance happens to occupy the bench at that particular time. This applies both to cases involving civil questions as well as those involving criminal questions.

Let me point out more specifically a few cases showing the outrageous perversion of justice in recent months in criminal cases dealing with violations of the law directly relating to our war effort. It would seem that at a time of war

emergency, when young and old, rich and poor, men, women, and children in every walk of life are making some sacrifice for the common good, that courts would be particularly eager and anxious to punish the criminal who takes advantage of the war emergency to further his own private interest. Yet such is not the case. While I believe that most of the judges are mindful of this situation, nevertheless some of them have been grossly indifferent and to my mind have violated their oath of office in dealing with criminal cases involving war frauds.

I shall point out a few cases to illustrate this point:

First, In December 1942, the Department of Justice obtained an indictment against the Anaconda Wire & Cable Co., in a shocking war-fraud case. This company was charged with having installed a secret device in its plant at Marion, Ind., in order to deceive Government officials and permit defective cable, intended for use in the war, to be passed by these Government inspectors. The present law in case of conviction for such an offense provides for 2 years imprisonment, \$10,000 fine, or both. Such a penalty is small enough for cheating one's country in time of war and endangering the lives of thousands of our young men on land, on sea, and in the air.

Several months ago this case reached its final disposition in the Federal court at Fort Wayne, Ind., Thomas W. Slick presiding. The company offered no defense, thereby admitting that the charges were true and that it was guilty as charged. What did the judge do about it? He fined the company \$10,000 which will, no doubt, be deducted from the corporation's income tax. Then he fined the general manager \$10,000, which no doubt the company will pay. Two other officials of the company were fined \$500 each, and one official was fined \$100. The total fines amounted to \$21,100. This company is a subsidiary of Anaconda Copper, which is one of the wealthiest corporations in the world. It can hardly be claimed that the amount of the fines in this case mean anything to such a wealthy corporation.

Now, let us look at some of the other cases that have fallen in the same category.

Second, Typical of the curious brand of justice being dispensed were two recent Baltimore cases. In the Federal district court two young workers were sentenced to prison for 22 months because they had tried to increase their earnings by doing welding and riveting in a slovenly manner.

In the same Federal district, Gustav H. Kann and Joseph Ben Decker, former executives of Triumph Explosives Co., Inc., were tried for violating the Renegotiations Act by falsifying and concealing production costs.

The devious and tortuous routes these two defendants traveled in their schemes to cheat their Government in time of war must shock the sensibilities of every honest citizen. Three times they faced the Federal court under criminal indictment, and three times they were convicted. The first time they were con-

victed of mail frauds involving Government contracts and received suspended sentences. The second time they were tried for violation of the Renegotiations Act by falsifying the records and the jury found them guilty, but the presiding judge set aside the verdict. In the last case, these defendants were again tried for using the mails to defraud. The defendants used a rather ingenious method to accomplish their criminal purpose. They organized a subsidiary of the Triumph Explosive Co. called the Elk Mills Loading Co. Officials of the Elk Mills Loading Co., among others, were Kann and Decker. Among the stockholders of this fake subsidiary were some key employees of the Triumph Co. who secured extra pay through this means. Apparently Kann and Decker's luck ran out on this last case for Kann was sentenced to 3 years while Decker's sentence was postponed.

The Department of Justice should receive an award of merit for its persistence through discouragement after discouragement in prosecuting these cases. The Department certainly received no encouragement from the judges sitting in these cases involving Kann and Decker.

It is this kind of justice which smells to high heaven and destroys one's confidence in the courts. It is to be regretted that the same yardstick of justice was not applied in measuring out and meting justice in the case of the workmen and in the case of these munitions executives.

I am not condoning these offenses; on the contrary, I believe that such offenders should be punished and punished severely, but if the welders deserved 22 months, then Kann and the officials of the Anaconda subsidiary deserved life. Why two kinds of justice, a severe penalty for one class and a very mild one for those who seek blood money in addition to the liberal profits they are already making?

The most flagrant violation of justice meted out in the Federal courts and which stinks to high heaven was the action of Federal Judge Albert W. Johnson of Scranton, Pa., in the war frauds prosecution of officials and employees of the Lackawanna Pants Co. I want to go into some detail in regard to Judge Johnson's peculiar conception of justice as indicated in this particular case.

Originally, four defendants were indicted on four counts of embezzlement and one of conspiracy. But Judge Johnson ruled out the possibility of a conspiracy conviction in his charge to the jury. The jury, however, rendered a verdict of guilty on all counts in spite of the judge's manifest effort to aid the defendants. Thereupon, Judge Johnson reprimanded the jury for disregarding his charge and ordered them to return to the jury room and bring in a verdict of not guilty as to the count involving conspiracy.

In that case, the Federal prosecutors had clearly demonstrated that the defendants not only knew what was going on but took an active participation in the proceeding. Yet, the judge disre-

garded this testimony and ordered the jury to throw out the count charging conspiracy. Please note that the jury of 12 responsible people disregarded the judge's charges and were all unanimously convinced that these 4 defendants were guilty of conspiracy. Evidently the testimony must have been sufficiently convincing to cause these 12 jurors to disregard the express mandate of Judge Johnson. A Federal prosecutor demanded that Judge Johnson impose sentence in accordance with the jury's verdict and pointed out that despite some controverted facts there were other facts not controverted. He mentioned especially the sudden removal of 8,000 yards of Government cloth and more than 1,300 pairs of pants from the Koppelman plant to a warehouse, "the day that a quartermaster corps inspector came to look into the contracts being executed by the company." He charged there was no question of fact on the sudden replacement of Government labels on the trousers by company labels and that there was no question about the equally sudden removal of the material back to the plant, and the additional fact that Theodore Koppelman and Luongo, the shipping clerk, consigned a shipment of these trousers to a fictitious California address. I quote from an editorial contained in the Scranton Times:

Judge Johnson before passing sentence criticized the jury for its verdict. Attorney Max H. Goldschein, a special assistant to the Attorney General, pointed out to the court: "This is not an isolated proposition but a long series of considered actions, not a rash moment but a well organized plan. It is not enough to consider what will be required to rehabilitate the individuals involved in this crime. The public welfare must be considered. The question is whether the punishment will be sufficient to deter others from committing the same crime. As a member of the Department of Justice and as a citizen, I believe that a public example should be made in this case."

Let us examine the record of Theodore Koppelman, president of this pants company. In February 1935, at a time when a portion of the factory was working on Government contracts, Theodore Koppelman was guilty of a violation of N. R. A. This charge Koppelman denied, but Assistant United States Attorney Maguire pointed out that he paid a \$700 fine. In 1941 a consent decree was entered against the same company, and the same Theodore Koppelman, because of a wage-hour violation. The assistant United States attorney also pointed out that Koppelman "at one time was in violation of the fire and factory laws in the plant where 750 people were employed. It was considered a sweatshop and he owed the boys and girls in his employ money."

In spite of these facts Judge Johnson, in sentencing these defendants, stated that—

These three must be put in a class by themselves, and . . . the court also takes into consideration the matter of restitution and previous record of the defendants.

Judge Johnson must have been deaf, dumb, and blind to the previous violations of the Federal law by this company and by Koppelman, its president.

If ever a case, and the conduct of the judge, ought to be examined by the Committee on the Judiciary, with a view to impeachment proceedings, the case of Judge Johnson deserves full consideration. Let the Judiciary Committee call in the prosecutors involved in this case, the jurors who heard the testimony, and the reporters who were present and reported the case. I have secured my information from the full and complete report made of this case by the *Scranton Times*, and I feel that the reporter of the *Times* went out of his way to quote freely from the language of the judge and attorneys, both for the Government and for the defense. The Judiciary Committee cannot overlook this case nor the conduct of Judge Johnson. To ignore the matter is to permit other judges to continue to hand out special privileges to a few, and in that class it seems that Judge Johnson stands by himself. I am advised that some of this material has been forwarded to the gentleman from Texas, Chairman SUMNERS of the Judiciary Committee, as long ago as July 30 but no one has heard anything about it nor has anything been done about it. Let us have a thorough investigation and ascertain the facts in regard to Judge Johnson.

I also want to call the attention of the membership of this House to the fact that last February, Senator O'MAHONEY, of Wyoming, in a speech on the floor of the Senate, read off 19 indictments against some of the largest and wealthiest and most powerful corporations in the United States for violations of criminal law, and not one of these indictments has been brought to trial. Today this number of delayed cases has increased to 32. I might even call attention to the fact that in my own State of Wisconsin several indictments have been pending in Federal court now for more than 2 years involving price fixing and monopoly control of cheese, but to date there has been no trial. During the First World War, we had the same kind of peculiar, and may I add, odorous, justice meted out to different defendants.

There is only one way to put an end to these high-handed practices by Federal judges and that is by making them responsible to the people. This can be done by changing the law so that Federal judges are elected by popular vote for a definite term instead of being appointed for life by the Chief Executive.

To accomplish this end, I have introduced an amendment to the Constitution in order to remedy what I consider a serious defect in our present method of seating Federal judges. My amendment provides for the election of Federal district judges by popular vote. The amendment relates only to Federal district judges, but if that plan works out successfully, as I think it will, then the same plan can be adopted in regard to Federal circuit judges.

It is high time that the questionable conduct of some Federal judges, appointed for life and responsible to no one, be ended, and that these judges be made accountable to the people, whose rights

they are presumed to protect. Elections at stated intervals will give the people an opportunity to register their approval or disapproval. "More democracy, and not less, is the cure for the ills of democracy."

The SPEAKER pro tempore (Mr. WASIELEWSKI). Under the previous order of the House, the gentleman from Texas [Mr. PATMAN] is recognized for 20 minutes.

SUBSIDIES—MUST HAVE FIRM AND STABLE POLICY ON INFLATION

Mr. PATMAN. Mr. Speaker, as a member of the Committee on Banking and Currency of the House I studied the question of subsidies for several weeks. I did not like the word "subsidy"; therefore in the beginning I was opposed to it, but I was convinced before the hearings were over that the use of subsidies was the only way that you could hold down the cost of living and at the same time give the farmers a sufficient price to cause them to produce sufficiently for this war.

It is my belief that we must have a firm and stable national policy on inflation; if we do not have some kind of policy we shall certainly have ruinous inflation. We have adopted a policy which involves a date, a time, to which we say we expect prices shall be held. There will be objections to any price we fix; certain classes and groups will say: "It is unfair to us"; so it is impossible satisfactorily to adjust a time that will meet with the approval of all classes and groups and all people who are selfishly interested; but we should not destroy a stable national policy on inflation just because a few are displeased. On the other hand, it would be much more desirable to try to adjust those differences, those inequalities, those inequities, which I believe can be done. Through subsidies they can be corrected without raising the cost of living.

ONLY SOME THINGS SHOULD BE SUBSIDIZED

On the question of subsidies I do not say we should subsidize everything that is bought by a consumer; there are many things that would be unwise economically for us to subsidize, but there are some things, on the other hand, that should be subsidized in the consumer interest and in the interest of our country; in other words, if we can pay a subsidy out of the Treasury of \$1 to the producer of copper or to the producer of any other commodity and save the taxpayers \$28, which has been proven, it occurs to me that that is not only good business, but just good common sense. That can be done in a number of items, a number of articles, but in all cases it cannot be done; so some subsidies are good and some subsidies are bad.

In a case like that, which is the wise thing for Congress to do? Just say: "Congress should try to legislate the type of subsidy to be allowed"? Or would it be better to delegate that power to the executive branch of the Government that can act more quickly and more easily than the legislative branch? Making laws is a very cumbersome procedure and

we cannot quickly make the laws and make changes. It is necessary, therefore, and especially in wartime, for us to leave questions like that to someone who can act in a hurry and quickly. Some mistakes will be made. Congress could not correct those mistakes right off; it would take time to correct them, but an executive could correct them and correct them overnight.

MARVIN JONES RIGHT MAN FOR W. F. A.

It is my belief that if this country had been searched over from Canada to Mexico, from the Atlantic to the Pacific, a better man for War Food Administrator could not have been found. He is none other than our former distinguished colleague who served here in the House for longer than 20 years, a gentleman who at one time was a tenant farmer himself. He was born and reared on a farm. He had a distinguished record as a Member of Congress and as chairman of the Committee on Agriculture in the House of Representatives. No Member has ever lived whose words have been more helpful in legislative acts to the farmers of the country than the words written by this man into the laws the last 10 years. He is the Honorable Marvin Jones, War Food Administrator.

I know that a lot of mistakes will be made by his organization, but it is my belief that Marvin Jones will do his very best to correct those mistakes. I believe that his every heartbeat and pulse throb is with the American farmer. Marvin Jones wants the farmer to prosper. No man has done more to help him prosper than has Marvin Jones. It is true that there are many complications and difficulties involved in fixing prices. After all there are 8,000,000 different commodities, including grades, styles, fashions, classes, and designs, but just a few commodities will cause a lot of trouble. I refer particularly to the beef and dairy situation, milk for instance. They have not been satisfactorily adjusted, but who can better adjust them, 531 Members—96 in the Senate and 435 in the House—through the cumbersome way that we have of communicating with one another in passing laws, for if we make a mistake it takes a long time to correct it, or could Marvin Jones better correct it? Marvin Jones can correct it quickly and overnight. He can do it right now. He is probably not going to be able to solve this thing right away. I have confidence in Marvin Jones and I believe all the Members have confidence in him. If they will leave it to Marvin Jones he will get both the milk and beef situation settled. Instead of trying to cause more confusion, pass a lot of laws, take away a lot of power and give a lot of power to somebody else, why not devote our efforts to making constructive suggestions as to how to best cure this situation?

Mr. O'HARA. Will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Minnesota.

Mr. O'HARA. Does not the gentleman think that Marvin Jones has been bypassed by somebody along the line in

regard to the fixing of the price of live beef?

Mr. PATMAN. No; I do not think he has been bypassed except by Congress. You know, the Congress gave the President a directive to hold the prices. I believe the gentleman voted for it. The President, having that directive to hold the line as of a certain date, Marvin Jones is trying to carry that out just as the President is. That is the reason I say that the beef producers and the dairy producers in many instances, not all, have not been getting enough to encourage adequate production, but instead of raising the line up in violation of the gentleman's congressional act and mine, there is one other way to do it. The only alternative is give a subsidy in those particular cases and that is the question before the Congress now.

Mr. MILLER of Nebraska. Does the gentleman still insist that Mr. Jones has not been bypassed on the beef situation? Does the gentleman mean to say that Mr. Jones has consented to that?

Mr. PATMAN. Why use the word "bypassed"? Do you mean to say somebody will take advantage of Mr. Jones?

Mr. MILLER of Nebraska. He has been disregarded.

Mr. PATMAN. No; he has not been disregarded. No man's word is accepted more among officials in high quarters than Marvin Jones and I believe the gentleman concurs in my statement on that.

Mr. MILLER of Nebraska. Does the gentleman mean to say that Marvin Jones agreed to the beef prices and conditions that have been imposed lately?

Mr. PATMAN. I hope the gentleman does not imply that somebody is taking advantage of Marvin Jones; that there is some sinister motive behind all this and that someone is trying to take advantage of the farmer when Congress has demonstrated its attitude toward the farmer. We have furnished them almost a billion dollars a year the past 10 years. That should demonstrate our attitude.

IS AN EFFORT BEING MADE TO MISLEAD THE FARMER?

Now they are trying to make the farmers believe it is an awful disgrace to accept a subsidy. They say that it is almost criminal. They are trying to make them believe it is an awful thing, but that is the only thing that helped the farmers out when they were desperate. I am afraid they are trying to lead the farmers down a blind alley now. Suppose they succeed in getting that out and convincing the farmers of the country that they should not take another subsidy. Suppose they succeed in convincing the country that no, we farmers will not take another subsidy; we are against it in principle; we think it is wrong, and we will never take it any more.

POST-WAR AGRICULTURE

When the war is over we will have to have post-war planning, and we cannot have an agricultural program without subsidies. The party in power then can say: "No; the farmers do not want a subsidy. They convinced them of that a long time ago; it was wrong, and we cannot put in another in the way of subsidy." I wonder if some of the farm

leaders are not trying to lead the farmers up a blind alley.

We have written into the law a protection for the farmers after this war that is afforded no other class or group on earth. That provision is that for 2 years after the declaration of peace we guarantee to the farmers of this country a price the equivalent of 90 percent of parity, which the farmers will be pleased with. If the prices go down and we want to carry out this contract, which we will, it will involve a subsidy and a huge one, will not the party in power say, "We cannot have a subsidy; we cannot carry that out, because the farmers have said they do not want a subsidy; they will never take another one?"

Mr. MILLER of Nebraska. If the gentleman does not feel that Marvin Jones has been by-passed in the meat program, I suggest he stay and listen to his colleague the gentleman from Texas [Mr. KLEBERG], and he might be convinced.

Mr. PATMAN. I know the gentleman from Texas [Mr. KLEBERG]. He is a mighty fine man. He has one view of the situation, maybe I have another one, or probably we agree, I do not know; but I have as much confidence in Marvin Jones as I have in any man in public or official life, and I believe anyone who has ever known him has the same feeling about him.

Mr. PHILLIPS. Will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from California.

Mr. PHILLIPS. Will the gentleman answer specifically the question asked him by the gentleman from Minnesota?

Mr. PATMAN. Suppose the gentleman repeats it and I will try to answer it.

Mr. PHILLIPS. Yes; the gentleman from Wisconsin, the gentleman from Texas, and all other members of the committee have a transcript which is available which distinctly shows that the plan approved by the industry and the plan approved by Judge Jones was just thrown away and another plan substituted. What is the gentleman's answer?

Mr. PATMAN. That does not mean there is no compromise. It does not mean that. It does not mean that Judge Jones will not finally prevail. Suppose that plan was brought into the Congress and we jumped on it for a few months' time. There is no telling what we would come out with. It is better to have Judge Jones' view, the view of the O. P. A., Judge Vinson's views, and so forth, then let them throw out one, turn down the other, but they will get together with something good. Marvin Jones will get a satisfactory plan, I assure the gentleman of that. I have no authority to speak for Marvin Jones, but I know that he is going to see the right thing done, and the gentleman can rest assured it will be done. He might have a temporary set-back, but it is not going to last long.

Mr. PHILLIPS. Is that what the gentleman calls a compromise?

Mr. PATMAN. Every law that is passed is a compromise.

Mr. PHILLIPS. If Judge Jones' plan is thrown into the wastebasket—

Mr. PATMAN. You watch Judge Jones' plan. It might be temporarily laid aside, maybe by high authority, I do

not know—and I am not saying, because I am not acquainted with the facts—but in the end Judge Jones will come out with a good program, just like Secretary of State Cordell Hull came out with a good program at Moscow.

Mr. PHILLIPS. Does the gentleman know that the other plan has already been put into effect?

Mr. PATMAN. If a mistake has been made, it will be corrected, and it can be corrected quickly by Judge Jones.

You know, our Constitution is very plain. It says that the Congress shall make the laws and the Executive shall execute them. We cannot execute the laws. If we are in the law-making business and also the law-enforcing business and the law-changing business, the law-regulating business, and all the others, we will get nowhere fast. We should stay by the Constitution.

Mr. O'HARA. We all join with the gentleman in his high regard for Mr. Jones, but if Mr. Jones and his excellent plans are disregarded, what is wrong?

Mr. PATMAN. He might have a temporary defeat. Cordell Hull had a temporary defeat, but he came out all right; did he not? I venture to say that Marvin Jones will come out the same way.

Mr. O'HARA. If they will listen to him, it will be all right.

Mr. PATMAN. They will listen to him. Anyone will listen to Marvin Jones, because he is a man of good common sense, he knows what is good for the country, and he has done so much for the farmers in the past. Nobody can make me believe that he has become an enemy of the farmer.

It might be said, too, that we cannot expect exact justice in everything. There will be a lot of mistakes made, some inequalities and some injustices. If you make those mistakes in a law they are difficult to correct, but if the Executive makes them, if Marvin Jones makes them, he can correct them, and it does not take months of time to get them corrected. So the point is, which is better, to leave these difficult and troublesome problems to the legislative branch and let it try to say which shall be subsidized and which shall not be subsidized, or to leave them to a good, honest, conscientious, intelligent, able public official like Marvin Jones? I say that the latter is preferable.

The SPEAKER pro tempore. The time of the gentleman from Texas has expired.

THE MOSCOW CONFERENCE

Mr. SABATH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SABATH. Mr. Speaker, I know that each and every one of you, yes, all of us in this land and the world over, are gratified by the successful result of the Moscow conference. I am especially pleased, because for many years I have been assuring this House and the country that when the time comes the great Russia would be able to prove to the

world that it desires nothing but peace and cooperation with other nations for the promotion of the cause of a democratic form of government the world over.

Frequently in the past I have urged on the floor of the House the resumption of friendly relations with the Soviet Union and, as I look back and reflect, there were some appeasers and isolationists who seemed to be misled with Fascist-Nazi ideology judging from their attacks on Marshal Stalin and the Soviet Government. And even today, Mr. Speaker, some members of this Fascist-Nazi misled group continue to express their fear of the danger of communism. It has always been my contention and belief that they have followed the Hitler propaganda to hide the Fascist-Nazi activities in this country. While all well-informed people appreciating the Soviet Union's aims and realizing that the attacks made were unwarranted and not based on facts, yet the minds of many sincere men and women were poisoned by the speeches made on the floor and by the reading of articles appearing in magazines and special publications of the intolerant group in our midst. Anyone who, not so long ago, advocated a friendly relationship with the Soviet Union and defended the President's policies was assailed and attacked, and even accused of communistic leanings.

I am glad that I was then fairly well-informed and in position to combat to the best of my humble ability many of the unjustified charges and accusations against the Soviet Union. Naturally, today, as I have stated, I am overjoyed that the assurance that I then gave that there was no danger of interference or from communism in this country is borne out by the Moscow agreement brought about by three outstanding, sincere, and able gentlemen, namely, our own Secretary of State Hull, Foreign Minister Anthony Eden of Great Britain, and Marshal Stalin of the Union of Soviet Socialist Republics. Therefore, I again urge of those who have been misled by the shrewd, conniving, and lying Nazi propaganda to admit to the fact that they have been led astray and to desist henceforth from their un-American and seditious activities and to stop creating racial and religious prejudice. It is my sincere hope that they will serve notice on the rabble rousers that they have been misled long enough by them and that if, due to their hate and intolerance, they still persist in their unfair and subversive propaganda will be proceeded against in accordance with the law of the country.

EXTENSION OF REMARKS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and include therein a Navy Day address delivered by Rear Admiral Moreell. I am informed that this material will take up more than two pages of the CONGRESSIONAL RECORD and will cost \$112; nevertheless, in view of the information contained in this splendid address, I ask that it be printed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Mr. KLEBERG] is recognized for 60 minutes.

GOVERNMENT OF LAW OR BY DIRECTIVE—RED MEAT OR RED TAPE

Mr. KLEBERG. Mr. Speaker, I would deeply appreciate it if my colleagues in the House would refrain from interrogation until I conclude my effort to present a subject which I earnestly believe to be of deep concern to our country.

I regret that at this juncture my distinguished colleague from Texas is not on the floor. I heard only his concluding remarks.

Mr. Speaker, in approaching the subject of this statement today, I find myself beset with unusual difficulty presented in the size and ramifications of the subject when compared to the time granted to me for its discussion.

Let us not forget in approaching our governmental problems that we, the United States of America, were the first great Nation in the world to make democracy workable, that popular government was begun here amidst almost universal prophecy of failure, and that other nations which have attempted popular government have, with few exceptions, seen it give way to dictatorship or some other form of despotism.

Prior to the establishment of our Government, philosophers talked, and history confirmed their teachings, that democracy could succeed only to a qualified extent and that only in small and sheltered communities, but in a great Nation which has attained supremacy in world affairs, the United States, we have seen and we have proven that democracy is workable. To say the least, it is worth the inquiry, Why has democracy succeeded here while it has failed in so many other countries?

To my mind, the answer is that we have embodied in our constitutional system the true principles of popular government, the principles upon which the exercise of sovereignty by the people must proceed if government is to be even partially or permanently successful. The mainstay, yes, the Gibraltar upon which these principles are based is the division of the powers of sovereignty in the Federal Government among the executive, legislative, and judicial branches.

It should likewise be noted and earnestly considered that the Constitution of the United States would not be in existence had not life been breathed into this immortal instrument by its ratification by the several States which make up the Union which our Constitution was intended and purposed to make perfect. The importance of this division of power in the maintenance of liberty is apparent even upon the most cursory reflection. The concentration of the sovereign power in one agency not only leads to but establishes despotism, this because of the inevitable tendency to substitute the will of the individual exercising the power for law duly prescribed. If the

same body is given, not only the power to enact and enforce law, but added to that the power to hear and determine violations of the law, the enforcing body will have in mind not law as prescribed but the end at which the law was directed and the limits of legality which must be observed in executive action. Those limits will, of course, be obscure.

In talking this afternoon I am fully conscious that in the effort to definitely discharge my responsibility as a Member of this group, that along with this body and another body, the free press of this Nation has a representative function to perform. Whenever the function of the press or of the Congress is colored by the directives, coercion, or other forms of stimulation, the representative function of our form of government is balked by an impassible barrier. I want that to remain in the forefront of your minds. If the same body makes, enacts, and interprets the law, the same evil results with the added danger that safeguards against ex post facto laws and other retroactive forms of legislation will, of course, be erased, and in the case of our system, when laws are enacted by representatives coming directly from and chosen by the people and such laws are enforced and carried out by other men, who have nothing to do with their passage, and which are subject to review by yet a third body of men, who are independent of the others, and have no duty to declare the law save as they find it, it becomes a government of laws and not of men. It is true that under such a system laws are enacted by men, interpreted by men, and enforced by men, but in the end what is enforced is not the arbitrary will or power or notion of any man or group of men, but the law as prescribed by those who represent the popular will, executed by administrative decision and judicial decree by those withdrawn from political contest, to exercise judicial power.

Today public confidence, shocked as it is by repetitious innovation, is in dire need of the stabilizing influence of true and conclusive evidence to the effect that the Congress of the United States—and mark these words—proposes to be true to that instrument, the Constitution of the United States, which gave the Congress being and life. The fact is that uncontrolled writing of regulations, directives, proclamations, or whatever they may be termed, by some of the divisions of the administrative branch of the Government have become so pernicious and numerous that the actual intention, the real intention of the Congress is vitiated. There are strong indications, evidential at every hand, that a fourth branch of government has arisen, certainly without constitutional sanction—shall we call it, for the purpose of this discourse—the regulatory branch? This branch is operating contrary to the fundamental principles of representative government. It is undermining and in some instances it is committing breaches which are tantamount in fact to a change in our form of government. Although some Government officials now operating within this fourth branch of government will tell you that the rules which they create

are not laws, yet Mr. Chief Justice Hughes some time prior to 1938 stated:

The making of regulations is essentially legislative in character, for they set forth what a citizen may or may not do.

Mr. Speaker, you and I both know that within the Constitution are to be found provisions permitting a change or amendment to that instrument. Also we know, Mr. Speaker, that this procedure requires the submission of such change or changes by Congress to the American people for their vote and their ratification or disapproval. Despite this provision, speaking as a Representative of a great congressional district, the people whom I represent under the Constitution are entitled to pass upon any such contemplated change. Keep that in mind.

Recently the attention of the Congress and the country was attracted by a widespread confusion and uncertainty occasioned by a shortage of beef, milk, and other items of food on the counters throughout this country. The time-honored system of price and distribution was completely thrown out of kilter. Producers, processors, wholesale and retail distributors found themselves in a regulation- and directive-built and leaky boat on a bureaucratic tossed sea without either rudder or compass, and no land in sight, and in the midst of a storm and far from land they were called to serve the vital needs of this great Nation at war. Our armed services, our civilians, our allies all need the food of which they were the purveyors. This Congress, Mr. Speaker, is called upon to represent them in their plight. To extricate them at this moment is among our most vital tasks. Let me give you some matters of record by way of analysis. For instance, take the meat problem, and I desire to approach it first from its governmental aspect. Let us analyze the position occupied by the O. P. A. with respect to this beef problem. The O. P. A. is confronted with power, to be exercised by it, coming from a twofold source, pricing and rationing of quotas. It operates upon two sources of power and authority when you get right down to the facts. The authority of the O. P. A. is supposed to be derived from the Price Control and Stabilization Acts of 1942 insofar as price is concerned. The rationing power comes from the Second War Powers Act.

I want to call your attention to two important distinctions, and I hope you keep them in mind. Live cattle are one thing, and they are classified by law and by agencies of Government as an agricultural commodity. Beef is another thing, and beef results from the slaughtering and processing of live cattle. Beef has recently been included as one of the strategic materials. Keep that in mind. Live steers are agricultural products, while beef is a processed product. Beef is classified, I repeat, as a strategic material under the war stimulus under which we now find ourselves. Both agricultural and processed commodities are, by statute, distinct from others, and I mean with reference to processed commodities, those which are processed from agricultural origins. They are priced under dif-

ferent legal aspects. Certain individuals are empowered to fix prices in a channeled legislative act setting the range within which such prices are to be set. The Price Administration is empowered to fix the price of meat, a processed product, while the law requires prior approval of the Secretary of Agriculture. I am talking about the law creating this Price Administration. This law requires prior approval of the Secretary of Agriculture before the price of livestock on the hoof may be set by the Price Administrator. In other words, the Price Administrator proposes what the price may be, and the Secretary of Agriculture either ratifies or rejects, but neither one nor the other may act without the consent of the other, and both are limited within the legal standards of the act, unless, under the Stabilization Act, the present modification to standards within the limits set out in this act for the purpose of increasing production for war purposes are to keep pace with the increasing cost of farm labor.

Now, by directive—and I want somebody down in the executive branch to challenge the statement—and in defiance of the statute, the substantive law, the power of the Secretary of Agriculture is transferred to the War Food Administration, and the Office of Economic Stabilization has been created to referee disputes between the Price Administrator and the Food Administrator. To add to this complexity, the Director of Stabilization is called upon to act in accordance with the policy established by another agency, the Director of War Mobilization, who acts in the name of the Chief Executive.

This leaves the meat problem squarely in the lap of the Director of Economic Stabilization.

The Price Control Act of 1942, under section 3 (e), carries a provision which you gentlemen know, that no action may be taken by the Price Administrator to restrict prices on agricultural commodities without prior approval by the Secretary of Agriculture, except that he may take such action as may be necessary to enforce compliance with any regulation previously approved by the Secretary of Agriculture.

Section 3 (f) of this act provides:

No provision of this act or of any existing law shall be construed to authorize any action contrary to the provisions and purposes of this section.

With reference to the limits between which prices shall be established, section 3 (a), among other things provides:

No maximum price shall be established or maintained for any agricultural commodity below the highest of any of the following prices as determined and published by the Secretary of Agriculture.

Now we go into another field. Executive Order No. 9250 authorized under section 2 of the Stabilization Act, sets forth in section 3 (c) as follows in this language:

No maximum price shall be established or maintained for any commodity processed or manufactured from any agricultural commodity below a price which will reflect to the producers of same a price equal to the highest price therefor specified in subsection (a).

Those are the prices which the Secretary of Agriculture is instructed to put out. All of this is to indicate congressional intention to preserve agricultural prices and to tie processed values in with them. The Congress likewise intended to insure minimum legislative price to the producer of an agricultural commodity from which the processed product is derived. Here the authority to fix the price of some agricultural commodities within the stated standards has been delegated to the Secretary of Agriculture and the Price Administrator, and the power to fix prices of processed commodities was vested solely in the Price Administrator. The Secretary of Agriculture was authorized to determine and publish parity prices as authorized by law, substantive law, law passed by this Congress. The formulation of this parity price situation is well known to the Congress and to the country. It would be pretty good at this point for you folks to dig in and analyze Executive Order No. 9250 and the Stabilization Act, side by side. Lay them down and look at them.

Section 201 (b) of that order indicated that the position and authority of the Secretary of Agriculture was to be respected and maintained. He was exempted from the otherwise general authority granted to the President to change and rechange functions of departments.

I quote from the Stabilization Act of 1942:

Notwithstanding any provision of this or any other law, no power or function conferred by law upon the Secretary of Agriculture shall be transferred to the Office of Price Administration or to the Administrator; and no powers or functions conferred by or upon any other department or agency of the Government with respect to any agricultural commodity, except the powers and functions relating to priorities and rationing shall be so transferred.

This is the law indicating the clear congressional intention of keeping the power to fix agricultural commodities undisturbed by the provisions of this act. From a part of the Stabilization Act, section 2, where the President is authorized to make rules and regulations to carry out the provisions of the act and to exercise powers or authority conferred upon him through these agencies. The section carries this change in its controlling clause. Now, mind you, this is the controlling clause:

He may not under the authority of this act suspend any other law or part thereof.

And in addition, in section 7 (c) the law goes on to state:

Nothing in this act shall be construed to invalidate any provision of the Emergency Control Act of 1942 except to the extent that such provisions are suspended under authority of section 2.

Which I have just called to your attention—

Or invalidate any regulation, price schedule, or order issued or effected under such act.

It should be noted too that the price-fixing order with reference to processed commodities remains likewise undis-

turbed by this act. Keep this in mind when I get down to a discussion of exactly what has transpired.

The power to fix the price of agricultural commodities is vested in the Price Administrator and the Secretary of Agriculture, and the power to fix prices of processed commodities is still exclusively with the Price Administrator. Continuing the legislative limits within which prices may be fixed under the Stabilization Act, you encounter certain provisos. Take proviso 1; it states that the President—I quote—

May not fix the price so low that agriculture will not receive the parity price of clause 1

Proviso 2 states:

If necessary to increase production for war—

And so forth—

such prices shall be modified under Presidential regulation.

Proviso 3 with reference to products processed from livestock, states that a reasonable margin must be allowed for processing—that means slaughtering. I could go on and indicate clearly all about the system of delegation and redelegation of congressional power which has resulted in this confusing miasma, or fog. We finally come, however, to Executive Order No. 9250, title IV, which states that—

The Director may perform the functions and duties, and exercise the power—

Now, mind you—

and authority, and decrees conferred upon him by this order through such officials or agencies and in such manner as he may determine, the decision of the Director as to such delegation and the manner of its exercise shall be final.

It is reasonable to presume that this language was intended to preclude review by the courts; and if such be true the Director may not overrule the Secretary of Agriculture contrary to substantive law; but on the other hand the Secretary of Agriculture may delegate the authority to overrule to anyone else. Keep this in mind; it is interesting.

As additional evidence we have but to glance at Executive Order No. 9328, and look at section 1, which transfers the powers, functions, and duties of the Secretary of Agriculture to the Food Administrator. Therein you will find that the provisions of this Executive Order No. 9328 constitute in themselves knowledge on the part of the executive branch that that authority has been vested by law in the Secretary of Agriculture and the Price Administrator, and their transfer thus indicated is wholly incompatible with section 3 of the Price Control Act, and section 2 and section 7 (c) which I have just read, of the Stabilization Act. The Executive did not have this authority by law either under the First War Powers Act—now listen, of 1941—the Second War Powers Act of 1942, the Price Control Act, or the Stabilization Act. So we have now a situation by which the power to fix the price of steers on the hoof is vested in the Price Administrator and the Food Administrator. Now, follow that and let us see what has hap-

pened. This is subject to the Economic Stabilization Director.

We come now to Executive Order No. 9334. This I understand is Executive Order No. 9322 as amended. Executive Order No. 9322 was issued on March 26, but was corrected and numbered 9334 on April 19, 1943. This is how quickly the change occurred. It created in the Department of Agriculture an administrator of food production and distribution which, if you will study it, you will find involved a distinct encroachment upon the powers defined by statute and conferred upon the Secretary of Agriculture. Section 3 transferred the unexpended balances of appropriations from the Department of Agriculture to the War Food Administrator. Considerable legislative legerdemain in this section created an hiatus as to whether or not there existed legal authority to replace the Secretary of Agriculture with the War Food Administrator, and we heard discussions on this floor concerning that matter. I quote a portion of section 4 of this Executive order, a portion of a sentence:

And shall not be subject to challenge by any third party affected by the exercise of the power on the ground that the action taken was within the jurisdiction of the Secretary of Agriculture rather than the War Food Administrator, or vice versa.

What do you think of that? This brief analysis leads up to a release from the Office of War Information and the Office of Economic Stabilization setting up a plan completely changing the operations of O. P. A. with reference to beef and livestock or live cattle. This release accompanied a directive from the Office of War Stabilization.

Mr. Speaker, I ask unanimous consent at this point to include in my remarks the release and directive referred to.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

The matter referred to follows:

OFFICE OF WAR INFORMATION—OFFICE OF
ECONOMIC STABILIZATION

(For immediate release, Tuesday, October 26, 1943.)

1. Economic Stabilization Director Fred M. Vinson today announced that he has directed a series of important changes in the present plan under which payments are made by the Defense Supplies Corporation to slaughterers of live cattle. These modifications, which will not involve any increase in the original estimates for financing the slaughter payment program are designed to accomplish the following purposes:

2. First. To enable slaughterers who do not engage in the processing of beef—a group, made up principally of small enterprises, whose margins have been adversely affected under existing regulations—to continue in business.

3. Second. To maintain prices of live cattle within a stated range approximating the present price levels, thus affording a support price to livestock producers and at the same time discouraging unwarranted advances in the live market.

4. Third. To provide a more economical and effective allocation of present payments to all slaughterers by increasing the amounts paid for certain grades of live cattle and reducing them for others.

5. The new directive provides for a special payment of 80 cents per hundredweight live

to nonprocessing slaughterers, who are defined as "slaughterers who during the year 1942 * * * sold, and who currently sell 98 percent or more of the total dressed carcass weight of cattle slaughtered by them in the form of carcasses, wholesale cuts, frozen boneless beef * * * or ground beef." This sum will be in addition to the amounts paid all slaughterers. The funds for these special payments will be provided as a result of economies effected in the general payments.

6. Since May 1942 beef prices have been subject to control at wholesale and retail. On December 16, 1942, uniform dollars-and-cents prices were established by zones throughout the country for beef carcasses and wholesale cuts. Based upon these regionally uniform wholesale prices, uniform dollars-and-cents retail prices were established in May 1943. As part of the Government's program for reducing the cost of living to the general level of September 15, 1942, the wholesale and retail prices of beef were reduced by approximately 10 percent in June of 1943. In order that this reduction might not threaten production of livestock by unduly reducing the return to the producer, the price reduction was accompanied by the institution of an equalizing payment to slaughterers, enabling them to continue to pay the same prices for live cattle. The amount of this payment, which is readjusted by the directive issued today, has heretofore been \$1.10 per hundredweight on all grades of live cattle slaughtered.

7. There is, and has been, no direct control on the prices at which live cattle may be bought or sold. Price control of meat has been predicated on the assumption that the level of livestock prices would continue to be determined, as it was in the past, by the price which could be secured for meat and meat products. In fact, however, cattle prices during the past year have remained at levels consistently higher than past relationships would have indicated.

8. Despite the fact that the spread between live cattle prices and carcass meat prices has diminished, by far the greater part of the industry has experienced a substantial increase in profits above peacetime levels. A study made by the Office of Price Administration shows that the industry's profits on sales was 2.4 percent in 1942, compared with 1 percent during the period 1936 to 1939, while the return on invested capital increased from 4 to 14 percent. The peak level of 1942 profits has continued into 1943. Since the packing industry is a highly integrated industry on the whole, it is evident that the relative increase in the production of the more profitable items has permitted the industry to support a higher level of cattle prices than was anticipated when the dollars-and-cents wholesale beef prices were instituted.

9. Despite the generally integrated character of the meat packing industry, there is a substantial number of slaughterers, responsible for approximately 15 percent of the total beef supply, who perform no processing operations. This group has suffered under the existing wholesale ceilings. For the industry as a whole, the average value of beef carcasses and unprocessed byproducts has historically been less than the cost of purchasing and slaughtering cattle. This historical relationship is reflected in present wholesale ceilings, and has been accentuated by the rise in live cattle prices. Nonprocessing slaughterers have operated profitably in the past by various means, notably skill in buying and selling and ability to command premium prices in particular markets. Increased wartime demand for beef, pressing hard against the supply, and the establishment of uniform ceiling prices for all sellers, have tended to eliminate the conditions under which these slaughterers could operate

profitably. Returns from processing operations, which have increased the earnings of the great bulk of the industry, have not been open to them.

10. The present directive, affording relief to nonprocessing slaughterers by means of a special additional payment, has been issued after exhaustive study of alternative possibilities. A higher selling price for these slaughterers alone would have destroyed the structure of uniform dollars-and-cents prices which experience has shown to be essential for effective control of meat prices. Higher selling prices for the industry generally would have caused a major break in the Government's hold-the-line program and would have nullified the gains from the subsidy payments already made, while at the same time adding unnecessarily to the peak profits now being enjoyed by the greater part of the packing industry. A reduction in live cattle prices sufficient to permit the nonprocessing slaughterers to stay in business would likewise have added unnecessarily to the profits of the bulk of the packing industry. This would have been done at the expense of cattle producers, and would have nullified another major purpose of the present subsidy program to insure the maintenance of a level of livestock prices sufficiently high to encourage maximum production. The alternative of permitting the greater part of the nonprocessing slaughterers to be forced out of business would not only have been contrary to the national policy in favor of protecting small enterprises, but would have deprived the Nation of slaughtering facilities which are needed to assure the full utilization of existing meat supplies.

11. The directive has a second major purpose: to stabilize the prices of live cattle within a range corresponding approximately to current levels.

12. A substantial increase in present live-cattle prices would nullify the relief which the directive affords to nonprocessing slaughterers. It would also threaten the position of the industry as a whole. A decline in live-cattle prices, on the other hand, would defeat the purposes of the general subsidy program by discouraging production, and would be detrimental to the interests of livestock producers.

13. The Director has considered the possibility of establishing both price ceilings and support prices for live cattle. The present directive, while avoiding the disadvantages of a formal price regulation or support price program, seeks to accomplish the purposes of both. This it does by requiring deductions from subsidy payments in the case of any slaughterer whose monthly payments for live cattle are either above or below the range of prices provided for in the directive.

14. The directive states both high and low market prices for each of the various grades of live cattle at Chicago. A spread of \$1 per hundredweight separates the high and low price for each grade. Similar high and low prices at points other than Chicago, which are in line with Chicago prices, will be determined and published by the Price Administrator and the War Food Administrator. Recipients of livestock slaughter payments will be required to report each month the aggregate amount paid for live cattle and the dressed carcass weights of each grade slaughtered. The maximum and minimum amounts which should have been paid for live cattle will be computed on the basis of the dressed carcass weights. The amount, if any, by which the aggregate prices actually paid either exceeded the maximum or fell short of the minimum which should have been paid will then be deducted from the regular slaughter payment. The method of varying subsidy payments will thus be used to assure that cattle prices are neither unduly depressed nor bid up to a point, beyond that

required for production, which threatens the stabilization program.

15. A primary objection to a live-cattle ceiling has been the difficulty of grading live cattle on the hoof and, in particular, of determining the grade of carcass beef which any individual steer will produce. The industry has customarily bought cattle at varying prices depending on expert estimation of the quantity and quality of meat which will be obtained. The appraisal which cannot be made with certainty on an individual basis can be and normally has been made on the basis of aggregate purchases over an extended period. The directive recognizes this normal method of buying. It measures prices paid on the basis of average monthly payments. Individual purchases are thus uncontrolled. A range of \$1 per hundredweight, moreover, is permitted between the high and the low prices. Deduction from subsidy payments is the only penalty for falling outside this range.

16. The subsidy payment heretofore made has been in the amount of \$1.10 per hundredweight of live cattle, irrespective of grade. The new directive provides for modified payments varying according to grade. The payment for Choice will be \$1 per hundredweight, for Good \$1.45, for Medium \$.90, and for the lowest grades \$.50.

17. The prices set forth in the directive have been determined so as to return to cattle producers approximately current prices. At these prices, and at prices prevailing in recent months, the relationship between the live-cattle price and the value of the carcass and its unprocessed by products has varied materially for different grades. These prices in some respects increase this variance. They have been calculated so as to assure the continuance of essential feeding. Hence a spread of \$3 per hundredweight has been provided between the top prices for Medium and Choice cattle and of \$4.25 between Common and Good. For certain grades these spreads increase the negative margin between the live-cattle price and the value of the carcass and unprocessed by products. Thus, the present flat payment of \$1.10 per hundredweight is more than is needed for certain grades and less than is needed for others.

18. To remove these variations by altering the present wholesale and retail price structure would impose a substantial burden on the industry and upset the stability of beef prices which has only recently been established. The directive accomplishes the same result by varying the subsidy payment for the different grades. This will benefit slaughterers of all types who slaughter in the main those grades of live cattle with respect to which the negative margin has been greatest. Included in this group are many nonprocessing slaughterers.

19. The savings effected by reducing subsidy payments on grades for which the payment has been excessive are estimated to be sufficient to cover the cost of the additional payment of \$.80 per hundredweight which is provided for nonprocessing slaughterers.

20. The directive also requires the War Food Administration to develop a system of allocation as soon as practicable.

21. It is recognized that the success of this program in keeping cattle prices within the desired range will tend, at certain times, to create intense demand among slaughterers for the available supply. To prevent either a break-down of the program, or maladjustments in the movement of cattle to individual slaughterers or feeders or to various regions of the country, a method for directing the flow must be ready for immediate use. Accordingly, this directive directs the War Food Administrator to institute a system of allocation of live cattle to slaughterers and feeders which is adequate to maintain an equitable distribution of available supplies.

OFFICE OF ECONOMIC STABILIZATION DIRECTIVE

1. This directive is issued pursuant to the authority vested in me by the act of October 2, 1942, entitled "An act to amend the Emergency Price Control Act of 1942 to aid in preventing inflation, and for other purposes," and by Executive Order No. 9250, October 3, 1942, and Executive Order No. 9328, April 8, 1943.

2. First. The purposes of this directive are to insure: (a) That the livestock-slaughter payments made with respect to cattle under Regulation No. 3 of Defense Supplies Corporation (livestock-slaughter payments) inure to the benefit of cattle producers;

3. (b) That such payments are made only to the extent necessary to maintain live-cattle prices within a range consistent with the purposes of the stabilization and production programs;

4. (c) That such prices do not impose undue hardship upon any group of slaughterers whose output is needed to obtain the maximum necessary production; and

5. (d) That the available supplies of live cattle are equitably distributed among slaughterers and feeders.

6. Second. It is hereby determined that the stabilization and production programs require the maintenance of live-cattle prices within the following ranges:

7. Grade:	Price per hundredweight at Chicago
Choice.....	\$15.00 to \$16.00
Good.....	14.25 to 15.25
Medium.....	12.00 to 13.00
Common.....	10.00 to 11.00
Cutter and canner.....	7.45 to 8.45
Bologna bulls.	

8. The Price Administrator and the War Food Administrator are directed to determine and publish, and to certify to Defense Supplies Corporation, live cattle prices at points other than Chicago which are in line with the foregoing Chicago prices.

9. Third. There shall be deducted from the livestock-slaughter payments hereafter made to any slaughterer under Regulation No. 3 of Defense Supplies Corporation (livestock-slaughter payments) the net amount, if any, by which the total of the prices paid by such slaughterer for all live cattle purchased during the month for which the payments are made either fell short of the total amount he would have paid at the lower of the applicable prices, or exceeded the total amount he would have paid at the higher of the applicable prices, set forth or provided for in paragraph 6 above.

10. The grade of live animals purchased by a slaughterer shall be determined on the basis of the carcass grade. The Price Administrator and the War Food Administrator are directed to determine and publish, and to certify to Defense Supplies Corporation, conversion factors for determining the dressed-weight equivalents of live weights.

11. In the case of slaughterers who operate more than one plant, the amount of the payments and deductions to be made shall be determined separately for each plant.

12. Fourth. The livestock-slaughter payments hereafter made with respect to cattle under Regulation No. 3 of Defense Supplies Corporation (livestock-slaughter payments) to any slaughterer whose beef carcasses are graded by an official grader of the Food Distribution Administration shall be revised and computed on a grade basis as follows:

13. Grade:	Payments per live hundredweight
Choice.....	\$1.00
Good.....	1.45
Medium.....	.90
Common.....	.50
Cutter and canner.....	.50
Bologna bull.....	.50

14. Livestock-slaughter payments made to slaughterers whose beef carcasses are not graded by an official grader of the Food Distribution Administration shall remain unchanged.

15. Fifth. Slaughterers who during the year 1942, or a representative portion thereof sold and who currently sell 98 percent or more of the total dressed carcass weight of cattle slaughtered by them in the form of carcasses, wholesale cuts, frozen boneless beef (Army specifications) (carcass equivalent), or ground beef, shall be paid in addition to the payments authorized by Regulation No. 3 of Defense Supplies Corporation (livestock-slaughter payments), the amount of \$0.80 per hundredweight of cattle slaughtered during the month for which such payments are made.

16. Sixth. Defense Supplies Corporation is directed to amend Regulation No. 3 (livestock-slaughter payments) in accordance with this directive.

17. Seventh. The War Food Administrator is directed as soon as practicable to institute a system of allocation of live cattle to slaughterers and feeders which is adequate to maintain an equitable distribution of available supplies.

18. Eighth. The Secretary of Commerce is directed to determine on the basis of facts certified by the War Food Administration and the Office of Price Administration whether the effectuation of the expressed purposes of this directive require adjustments in, or addition to, the payments contemplated by this directive because of inequities resulting from differences in transportation costs.

19. Ninth. This directive shall become effective immediately, except that paragraphs 3 and 4 shall become effective on December 1, 1943, and payments under paragraph 5 shall be made with respect to cattle slaughtered on and after November 1, 1943.

Issued this 25th day of October 1943.

FRED M. VINSON,

Director, Office of Economic Stabilization.

Mr. KLEBERG. Mr. Speaker, from the record of the hearing held on Tuesday, October 26, before the House Committee on Agriculture relative to this directive, Mr. Gene Carroll, Director of Food Prices; Mr. J. F. Brownlee, Deputy Administrator of the Office of Price Administration; Dr. Richard B. Gilbert, Chief Economic Adviser to the President; and Mr. R. B. Hefebauer, economist of the Office of Price Administration, Food Price Division, testified, in part, as follows:

Mr. KLEBERG (acting chairman). What grower has asked for this plan?

Mind you, the plan I am talking about is contained in this directive which I have asked to be inserted at this juncture in my remarks.

Mr. CARROLL. I would not say that any have asked for this specific plan.

Mr. KLEBERG. What grower has been consulted with reference to this plan?

Mr. CARROLL. At a meeting in Chicago—I attended a meeting in Chicago with the Industrial Advisory Committee and on that committee were five representatives of the stockmen.

Mr. KLEBERG. Did they agree to this plan?

Mr. CARROLL. Not to this specific plan.

Get that, and just think of it—"Not to this specific plan."

Mr. Speaker, I have here before me a copy of the hearings held before the House Committee on Agriculture, and I think the Members will be interested in just what goes on here.

Mr. KLEBERG. Has this plan been adopted? Mr. CARROLL. The plan has been approved for the present.

Mr. KLEBERG. Has it been actually approved?

Mr. CARROLL. I think so.

Mr. KLEBERG. Don't you know?

Mr. CARROLL. That is my understanding.

Mr. BROWNLEE. My understanding is that the Director of Economic Stabilization is issuing a directive to us—

Mind you, "issuing a directive to us"—to put this plan into effect.

Mr. KLEBERG. Was this plan presented to the Office of Food Administration?

You will recall what my colleague from Texas has just said to you in his remarks just preceding me. Listen to this:

Mr. KLEBERG. Was this plan presented to the Office of Food Administration?

Mr. BROWNLEE. Yes, sir.

Mr. KLEBERG. Who presented it to the Office of Food Administration?

Mr. BROWNLEE. Mr. Carroll, Mr. Gilbert, Mr. Hefebauer, and myself.

Mr. KLEBERG. Did the Office of Food Administration agree to it?

Mr. BROWNLEE. No, sir.

Mr. KLEBERG. Did they oppose it?

Mr. BROWNLEE. Yes, sir.

Mr. KLEBERG. Do you know whether or not Judge Vinson opposed or approved this plan?

Mr. BROWNLEE. I understand he has approved it.

Mr. Speaker, right at this very juncture, may I say to you, at this very moment during which this interrogation was under way, the plan had been approved by Judge Vinson and signed, and these gentlemen knew it. Let us continue.

The gentleman from North Carolina [Mr. COOLEY] asked this question with reference to the directive and the ceilings contained therein on live cattle:

Mr. COOLEY. Why was this ceiling necessary?

Mr. BROWNLEE. May I make a statement on that, because, as you have stated, we are caught with the time factor, which makes time of the essence. The situation in which the agency finds itself is an unusual one.

This is from the hearings.

Follow this:

A group of packers—the small non-processing slaughterers—have entered in the emergency court a series of protests against the fairness of the meat regulations. He has stated in these protests that he is caught between wholesale ceilings and the price of cattle which has forced him to the point at which he cannot operate at a profit—in fact, where he is operating at a very great loss. This is not confined in any way to the marginal producers in the industry. This is a group of—

Mr. KLEBERG. You are speaking of the Nagle case?

Mr. BROWNLEE. This is among them.

I am going to jump just a little, but on the same subject. You cannot follow the whole hearings.

Let us pursue that just a moment in the matter of these cases. The Nagle case, when did it come up for trial?

Mr. BROWNLEE. I think it was originally entered back along in April or May.

Mr. KLEBERG. When was the trial completed?

Mr. BROWNLEE. The trial has not been completed yet.

Mr. KLEBERG. Where is the case now?

Mr. BROWNLEE. The case is in the emergency court.

Mr. KLEBERG. From what court did it come to the emergency court?

Mr. GILBERT. The first court in this case is the emergency court.

Mr. KLEBERG. Now, then, this setting up of regulations that are now going on are for the purpose of or their purpose is to be put into effect before the decision in this case?

Mr. BROWNLEE. Yes, sir.

Stop and think that over for a minute.

Mr. KLEBERG. Now, then, when do you expect a decision in that case?

Mr. BROWNLEE. We are directed by the court to answer that case, I believe, on Thursday of this week, the 27th or 28th.

Mr. KLEBERG. You say you are told by the court?

Mr. BROWNLEE. Yes, sir.

I will omit here a rather lengthy statement prior to the following statement.

Mr. KLEBERG. You say you were told by the court?

Mr. BROWNLEE. Yes, sir.

Mr. KLEBERG. Then you immediately went at the purpose of setting up new regulations to take the place of those for which the case was brought?

Mr. BROWNLEE. May I say to you, sir, there is nothing there new. Many months before I was with the O. P. A. they realized that this matter was one for which they had to find a solution.

Mr. KLEBERG. Did anyone discuss the probability of the decision with the court connected with the O. P. A. to give you an idea that the regulations attacked might be construed as illegal by the court?

Mr. BROWNLEE. Yes, sir.

Now, Mr. Speaker, this matter presents the unusual picture of members of a body which constitute this fourth branch of Government giving to another agency within it the power to write laws by directive to be administered by them, to supplement the irregularity of their operation under substantive law passed by the Congress, all of this without the knowledge or consent of that part of the public affected. Keep that in mind.

The O. P. A. by the hearings indicated that the producers did not agree, yes, that they had not been consulted, but opposed the program, and notwithstanding that fact you have here the fully developed picture of a directive in operation with the full force and effect of law, first by changing from the legislative branch to another law-making branch which operates under and by directive without the sanction or approval of the Congress in excess of powers delegated to the Executive under either the First or Second War Powers Acts, as I have explained to you.

Seriously, does this increase or decrease the confusion in the minds of those who are called upon to fill the larders of this Nation to meet the demands of our civilian, Army, and Allied requirements?

Mr. Speaker, there are those among us who remember the National Recovery Act, passed on June 16, 1933. Following this, the most remarkable demonstration of administrative speed in history codified 80 percent of all industry in less than 18 months. Before the end of 1934

some 500 codes had been approved. One of these codes was the live poultry code, which gave occasion for the famous Supreme Court decision of May 17, 1935, in the Schechter or "Sick Chicken" case.

Did Congress overstep its power to delegate powers by the passage of this Act? Did Congress attempt to transfer its essentially legislative functions to others? Did Congress have the right to delegate its legislative authority to trade associations, and so forth?

I think most of you who were here at that time and even those who were not can well recall the blistering opinion of the Court with reference to the delegation of legislative power. In part the decision of the Court read as follows:

But Congress cannot delegate legislative power to the President to exercise an unfettered discretion to make whatever laws he thinks be needed or advisable for the rehabilitation and expansion of either trade or industry.

In the conclusion of the same opinion the Court had this to say:

We think that the code-making authority thus conferred is an unconstitutional delegation of legislative authority.

Mr. Speaker, under a directive recently included in my remarks and to which I have just referred, and under the powers created in Executive Order 9250 and Executive Order 9328, we find the requirement that the War Food Administration in addition to being the result of unbelievable imagination and in addition to the fact that it is claimed that this directive does not fix the price of the live cattle—we find this statement in the prospectus accompanying it. In paragraph 11, which you will find in my extension of remarks, appears this language:

The directive has a second major purpose, to stabilize the prices of live cattle within a range corresponding approximately to the current level.

What does "stabilize" mean? Does it mean the permission of prices to fluctuate, to operate as an inducement, or as a retarding influence on the coming in of cattle to the packers? What does it mean? Mr. Speaker, to stabilize prices in the cattle industry is to stagnate the industry.

Let me quote again from this release. I quote paragraph 13, and they will be numbered:

The Director has considered the possibility of establishing both price ceilings and support prices for live cattle.

Would you, my colleagues, say in view of the claim that this directive does not fix ceiling prices on live cattle that this language would do otherwise? The directive itself states in paragraph 3 under 1-b that such payments are made only to the extent necessary to maintain live cattle prices within a range consistent with the purposes of the stabilization production program.

Mr. Speaker, right at this juncture let me as a cattle producer—and I think maybe I am still one—clear your minds and the minds of the country of an illusion which I am much afraid has warped your assay of the facts and your

keen judgment. The cattle industry is not demanding and has not demanded higher prices, get that straight. Make of it whatever you will provided you do not alter its truth. There has been no cattleman, no producer, who has complained of any price connected with any legitimate grade of livestock. On the other hand, there have been complaints, of course, from feeders. There have been complaints, of course, from those who would like to buy feeder cattle and put them in their lots if they could buy corn and if after the cattle were finished they could be sold to the processor at a price which would at least include the cost of that feeding.

Mr. Speaker, the cattle industry has developed through the years into one of the most technical and highly skilled businesses in this land. It has grown up, it has been nurtured and developed not only under but by the American system of doing business under a government of laws, keep that in mind. A government of laws is relatively fixed. I am not going to ask any questions of you gentlemen concerning the complete variability of government by directive or other forms based on whim or notion. This government of laws has up until this particular period been continuously and consistently interpreted as a guaranty of equality of privilege to all of the people and a denial of special privilege to any one group or any one person within this land.

Mr. Speaker, even a horseback review of this directive would indicate, first, that it was born of subterfuge and was a result of a design to evade the explicit direction of the Congress of the United States.

It sets up a system of preference and advantage to the packer, discriminates against the producers, and militates against the best interests of the American consumer and the best interests of our armed services. It completely brushes aside the entire system of the fundamental custom of the producer, which through the years has been evolved out of the experience of millions of producers and farmers, running back for nearly one and a half centuries. It completely casts aside our long established price and distribution system by substituting an arbitrary power in bureaucrats for the constitutional power exercised under representative government. These bureaus are not elected by the people, and their appointments are not even ratified by the representatives of the people in this Congress.

Let me quote at this juncture some of the reasons for this system. In paragraph 17 of the directive under No. 7 I find this language:

The War Food Administrator is directed as soon as practicable to institute a system of allocation of livestock to slaughterers and feeders, which is adequate to maintain an equitable distribution of available supplies.

Quoting further from the release which accompanied paragraphs 20 and 21, and quoting from paragraph 20:

The directive also requires the War Food Administration to develop a system of regulations as soon as practicable.

And from paragraph 21 I quote:

It is recognized—

I do not know by whom—

that the success of this program—

That is what is important—the success of the program, regardless of the result, and God knows its objective—

in keeping cattle prices within the desired range will tend, at certain times, to create intense demand among slaughterers for the available supply." To prevent either a breakdown of the program or maladjustments in the movement of cattle to individual slaughterers or feeders or to various regions of the country, a method for directing the flow must be ready for immediate use. Accordingly this directive directs the War Food Administrator to institute a system of allocation of live cattle to slaughterers and feeders which is adequate to maintain an equitable distribution of available supplies.

This directive directs the War Food Administrator to institute a system of allocations of live cattle to slaughterers and feeders which is adequate to maintain an equitable distribution of available supplies.

This is what comes of the laxity of the Congress in the performance of its constitutional functions, by the delegation of its legislative and its representative duties. The farmers all over this land under this directive who would like to stay in business have two choices, and just two. They have the first clause of the directive, this No. 1, which is No. 1. They have the choice of selling calves still simply fed on the mother's milk, or allowing them to grow to cows and breeding them, and this is the final scheme—the inevitable ultimate decrease in supplies. It prevents patriotic Americans from keeping their full productive capacity for work in the service of this great country of ours, now in the midst of a great war, and shouldering the greatest responsibility in its entire history.

This directive suspends or rules out the function of price in inducing production against the demands and the allocation of supplies, and substitutes every shifting and highly questioned bureaucratic notion for a system under which this country has operated for a century and a half. This sort of system, if continued in force, promises a reduction in actual supplies of beef of from 20 to 30 percent, even though a much greater number of cattle will be killed. I forecast, and I hope you will remember this, and I have a hat bet and will make it a matter of record with both Mr. Gilbert and Mr. Brownlee and I am going to give you my prediction and upon that I am sure that I will collect a hat, for I forecast that from December through March a great shortage of beef will result, first, because of the fact that pastures and farms during the winter months will have no grass, and the Government also dislocating the feeding program and the cattle which come to market will be killed and will be of a class which in ordinary times would be deemed unfit, even to merchandise, because of their low condition in flesh.

Many producers, if they have any means whatsoever, will hold these cat-

tle off the market until improvement in range conditions occurs or protein feeds are made available to them to permit those cattle to put on requisite poundage.

Let us continue to scan this directive, with which I hope you are all familiar, and which is made a part of my remarks. Go back and look it over in connection with these charges. Read it over carefully when it comes out in the RECORD.

It has been admitted both officially and unofficially, not only in the producers, in the processors, in the distributing circles but by O. P. A. itself in the record of its hearings, that no one could write an effective or workable ceiling price for live cattle. There are Members on this floor from the Committee on Agriculture who have heard that statement, and without even hearing it, they knew it to be true. In the face of all of these statements, this directive attempts to establish a ceiling price for live cattle at federally inspected slaughtering plants but leaves unchanged the price ceiling applying to nonfederally inspected slaughterhouses. That means slaughterhouses where there are no Government grading facilities. These plants formerly slaughtered approximately 65 percent of the beef of this entire Nation. The language of this directive changes the system of even questionably subsidy payments such as to penalize feeders, and force cattle out of the feed lots, when the need is to attract them to the feed lots, so as to increase the supply available to the armed services, to our people, and to our allies.

The directive deviously forces the undermining of quality and requires early reduction of the supply of better quality beef as the result of overlapping ceiling and floor prices on different grades of cattle; not standard grades to which the business has been accustomed, this directive allocation of slaughter cattle and feeder cattle fixes it so that additional bureaucracy must be set up and bureaucratic devices in forms must be "thunk-up" and put in motion, to tell the farmer where, to whom, and when he must ship and sell his stock. Is this representative government? Where are we, in God's name? It completely destroys the effective purpose of buyers, so that it requires the grading of livestock on the hoof, to determine whether they are slaughter or feeder cattle. The O. P. A. and its entire group who had to do with this operation testified before the House committee, with only two absentees, after giving their biographies, their histories of experience and entire background, that there was not a single man of the four who knew one little tinker's smidgin about the business of producing cattle on the range or on the farm or in the feed lot or shipping it to the market. This in response to my questions as to how they expected to make beef out of cattle without first getting them into a packing plant; and I wanted to know if they knew anything about the business on which beef on the counter and in the pantries and on the tables of our armed

forces and our civilians and our allies depended.

This completely destroys the effective purpose of buyers insofar as the grading of livestock on the hoof to determine whether they are slaughter or feeder cattle, and it does require the setting up of criteria, formulas—and those fellows down there love formulas—which no one has yet been able to formulate; but they want to keep trying. God and the Congress helping them, they will have more formulas in spite of my friend, the gentleman from Texas [Mr. PATMAN], who defends them.

Mr. PATMAN. Mr. Speaker, will the gentleman yield?

Mr. KLEBERG. I will yield at the conclusion.

Mr. PATMAN. Will the gentleman yield at that point?

Mr. KLEBERG. The gentleman will excuse me. I know he is my friend.

Now, they have not been able to formulate these criteria. As a matter of fact, they have not even attempted it, but they are just waiting to get started. Yes; we have one criterion in this directive. The directive is in the RECORD, and I hope you study it. It is based on dressing percentage alone. Of course, the gentleman from Texas [Mr. PATMAN] knows what dressing percentage is, but I am going to tell him, anyhow.

Dressing percentage means the percentage of edible beef in its ratio to the offal and nonedible portion of the animal. This criterion is in complete disregard and discard of all of the facts of quality which have been developed through the years and which have heretofore entered into the grading, not only of beef but of cattle themselves.

Mr. Speaker, an awful lot of this monkey business which is going on downtown in this great governmental center is coming from the facile brains of men who are not Democrats. They are not Republicans. Maybe I should not say "men." Maybe I should refer to them as individuals.

The SPEAKER pro tempore. The time of the gentleman from Texas has expired.

Mr. KLEBERG. Mr. Speaker, I ask unanimous consent that I may conclude. I am almost through.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. KLEBERG. I am going to repeat: Maybe I should not say "men"; maybe I should say "individuals"—neither Republicans nor, in my candid opinion, American in either background or ideology. One of these men who testified before the House Committee on Agriculture recently was an individual by the name of Dr. Richard V. Gilbert, who, by the way, as I understand it based on his own statement, is the chief economist of the O. P. A., and he is one of the chief inspirations involved in the subsidy and price roll-back program which has recently been so vehemently defended. Yes, Mr. Speaker, he even wrote a book. Think of it. The title of that book is "An Economic Program for American

Democracy." He knows just as much about democracy as he knows about the beef-cattle business, or any one practical thing upon which this Nation must depend to meet its responsibilities in this critical and incomparable hour. Not so very long ago a very able radio commentator, an American—I hope the press gets this and the commentators, too—his name was Fulton Lewis, Jr.—broadcast on Monday, October 11, 1943, and stated that the general theme of this particular book to which I have referred is that private business is totally incompetent to manage itself and that the entire fate of the American people and the very existence of the American people lies in the hands of the Federal Government. This statement, of course, is only a conclusion drawn by Mr. Lewis, but, Mr. Speaker, I take it as acceptable to me as recognized fact. Unless, Mr. Speaker, this Congress does its duty, analyze that statement—and I mean it as much as I ever meant anything in taking the floor on rare occasions in this Well where I stand in this group with my feet amidst the shattered debris of the greatest Government God ever had a part in forming—and I want you to know I mean it—of course the fate of the American people is in the hands of the Federal Government, which if it continues to operate as an Executive bureaucracy without check or responsibility to the Constitution, the Congress, and the people, will work its will upon them even though it be an agency completely perverted from its original constitutional form unless the voice of the people through this body is effectively heard in the halls of state. Think that over; and I am not too serious, I can still grin when trouble comes thick and fast.

Mr. Speaker, first of all I hold that the development of this great Nation did not come through the brains of men. I am sorry I used Mr. Gilbert as a guinea pig; God knows there are a host of others working with him just like maggots at the foundation of this great enterprise. This Congress, Mr. Speaker, must take definite and immediate action to rectify these perversions of a government of law and of a government operating as a representative democracy. If we do not there is no doubt but what the Congress of the United States is to blame if our form of government and the American way of life be doomed, and we will have failed to keep the faith with young Americans who die on the battlefields scattered throughout this world. Think that over. That is a serious proposal. It is your responsibility, my colleagues. This Government was created by the people and it must be maintained and supported by them. It was never contemplated in our past, our glorious past, that the Government should support the people. Let me read you a quotation from a statement made by the President in 1933. He has many sources of information, and he has a right to make any statement he sees fit to make in the discharge of his incomparably important functions. He said that the economic plant will not expand in the future as in

the past. This was in 1933. I quote from his statement:

We may build more factories, but we now have enough to supply our real and luxury needs.

All of us Democrats here remember that. What was that statement when you analyze it but uninformed defeatism without being willing to accept the glorious past of this great Nation and its ability to meet emergencies and crises as it has in the past on innumerable occasions? This was the plan of complete satisfaction, the doctrine of stagnation. Every man makes mistakes, and it is by the correction of those mistakes that we progress.

The doctrines of freedom from want and freedom from fear likewise upon careful and close analysis are defeatist and seek complete self-satisfaction. Both of them destroy initiative and ambition. There is no incentive remaining on the part of the individual to improve his lot by the exercise of his best mental and physical efforts. Genius becomes comparatively a drug on the market. Emphasis on security instead of opportunity is always a destructive power except when security of opportunity is the goal. Whenever the fields of investment are destroyed, of course, even a sense of security vanishes with them.

Mr. Speaker, if we can separate the myths of this situation from the truths of our past we can progress. To reenact a mistake is retrogression; to correct it is progress. Mr. Speaker, we have erred; we have gone too far afield from the tested and tried fields of our activities and our consequent attainment. There was once a philosopher, Mr. Speaker, who walked along looking at the stars and fell into a well. When they fished him out of the well he made this comment:

I was so intent upon what was going on in heaven I failed to see what was at my feet.

We have star- and planet-gazers with us yet and now, yes, those utopian gazers who see a Brave New World, a new planet which they planned.

O Master, high up in heaven, didst Thou plan this world on which we live or who?

Mr. Speaker, whatever the dreamers and star-gazers may dream or see in this new planet and for it, and no matter how they planned it, may I speak for those with real, not stardust between their toes. I speak for men with feet on this good earth, on this "our country 'tis of thee." With all of the vehemence I pray for the aid of God Almighty to make itself clear to you, and mean it. Mr. Speaker, I speak for their sons and daughters who are offering their lives, yes, and giving them on 14 bloody battle fronts and countless others in this old and war-torn world, yes, offering and giving their lives and healthy bodies for what? Not for this new planet, for is it new? My God, centuries back we had the acid test performed or this so-called new form of life. Emphatically no, they are not giving their lives for that. They are giving their all for our part of this—I mean this—old world, our part of it,

for our way of life, the American way of life, that a Government of the people, for the people and by the people shall not vanish from this earth.

I am not talking about that new one. I am talking about this one. And I am not concerned with this dream planet, nor am I concerned for those who plan it. For my part they can have their new world and plan it for their own "baloney" selves all alone. They have earned this right and I will defend their right to talk all they wish about it or to say all they may say about it. Yes, I could even voice a fervent prayer that as they claim to see it so plainly they set sail for it en masse now. I do not care how they go, by rocket plane or any other contrivance of their especial kind of genius, just so they go now.

We have, whether they know it or believe it or not—and by "they" I am referring to this group—a war on our hands, a grim, terrible, and, up to this tragic hour, a never-equalled war in intensity, seriousness, or danger to us and our homeland. To win it—and win it we will—we will need a lot of things. We need things that this old world produces and has produced in the past. We need clear eyes, not starry eyes, we need clear and devoted minds, minds devoted to this, our part of the world, this old world, not dreamy minds devoted to this new and foreign world, this distant, new, planned world. We need stout American hearts which appreciate and respect our allies, but who in turn expect and demand their respect, not soft, sycophantic hearts that fawningly would buy respect and gain instead disdain.

Mr. Speaker, as God is my witness, we need men and women here at home who truly appreciate our freeman's government of law and our way of life, pledged in faith on high to our common God, yes, men and women who are as devoted as those who laid down their lives to win our right to be free, yes, and, lest we forget, even as our sons and daughters are laying down their lives to keep us free.

EXTENSION OF REMARKS

Mr. PRIEST. Mr. Speaker, I ask unanimous consent that our colleague from Washington [Mr. MAGNUSON] may be permitted to extend his own remarks in the RECORD and to include therein an address by Rear Admiral Randall Jacobs.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee [Mr. PRIEST]?

There was no objection.

Mr. O'KONSKI. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an article entitled "Europe—American Style," by Leatham D. Smith.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin [Mr. O'KONSKI]?

There was no objection.

Mr. SHAFER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan [Mr. SHAFER]?

There was no objection.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. MASON] is recognized for 15 minutes.

STATISTICAL MIRAGES

Mr. MASON. Mr. Speaker, we have just listened to a magnificent analysis of the serious situation that confronts this Nation, a situation which I think can best be described by the phrase "confusion worse confounded." The gentleman from Texas has certainly placed his finger upon a good big part of the cause of this confusion worse confounded. I propose in the time allotted me to discuss another cause of the confusion that is bothering us today. I was motivated to ask for this time and to make this speech by the two extended, elaborate statistical messages the President has presented to us during the past 10 days, because these messages have confused my mind and obscured the facts in connection with the problems discussed in those messages; at least, that is my opinion. I want to direct my remarks to the cause of part of this confusion.

Mr. Speaker, with bureaus piled upon bureaus, with overlapping bureaus, overlapping commissions, overstuffed bureaus, and overstuffed commissions; with bureaus failing to correct administration incompetency, and with continual sleight-of-hand shifting and shuffling of these bureaus like a deck of cards, the Congress, in trying to untangle this scrambled mess of executive incompetency through its investigations, has now run into a new barrier, statistical mirages.

The statistical mirage is an invention of New Deal bureaucrats to add further to the confusion of the Congress and the people of the Nation by making it exceedingly difficult, if not impossible, for congressional investigators to get the facts. The most competent investigator or statistician finds these statistical mirages an almost impossible barrier for him to climb over or get through when he endeavors to get accurate figures in connection with the Government waste of manpower, or the number of men in the Federal bureaus who should be in the military service; and it makes it very difficult for an investigator, after he has gained the facts, to substantiate them for the benefit of the people. These statistical mirages are thrown up by the bureau heads to obscure the facts, much as ships in battle throw up a smoke screen to hide themselves from the enemy.

This is a sad state of affairs. It indicates a lack of intellectual honesty on the part of this administration. There was a time when the American people who read Government statistics knew they were reading the truth as accurately as competent, honest officials could determine it, but that is not true today.

Government statistics—until the advent of the New Deal—were never supposed to be used for political purposes to affect pending legislation. There is every reason to believe that they are being so used now. Events within the last week point in that direction. Let me give you a timely illustration. You will recall that on October 21 Prentiss Brown, Director

of the O. P. A., after months of failure, bowed out of the picture. In his letter of resignation, addressed to the President, he cited statistics to show that prices had been brought under control by the O. P. A., that inflation had been prevented, and the cost of living was being steadily forced down and rolled back. He stated in his letter that since Pearl Harbor, December 7, 1941, the income of farmers has risen 90 percent; average weekly wages, 33 percent; corporate profits after taxes have advanced 15 percent over level of 1941; and prices generally were up only 12 percent.

That was a nice picture of governmental efficiency and success which Mr. Brown painted. But, did he state the facts or did he throw up a "statistical mirage" to obscure the facts?

Compare Mr. Brown's statement with the statement released 1 week later, October 28, by Secretary of Labor Madam Perkins. Her statement was based on a check-up of commodity prices as of September 15, 1943. Mr. Brown must have used the same statistical information as a basis for his statement.

The Washington Daily News of Thursday, October 28, carried the headline, "Old Man Cost of Living is off on another spree." Under that headline Madam Perkins was quoted as announcing a 6-percent increase in the price of eggs; a 3.6-percent increase in fish prices; a general increase in the cost of women's wear; that the cost of housefurnishings had edged up, and that rents were higher in 15 cities out of 34; that the cost of services and miscellaneous goods was up in September, continuing the steady advance beginning in August 1942.

These conflicting statements from supposedly authoritative sources tend to create doubt in the minds of the Members of Congress and the people, who, because of the juggling tactics of the New Deal bureaucrats, have begun to question the validity of governmental statistics. It was a nice picture for the administration and for Mr. Prentiss Brown to give to the American people when he was retiring from the O. P. A., but the picture Madam Perkins painted—using the same statistics, I suppose—was of a different color; in fact, it was a dark picture. Which picture is the true picture? Are we to believe Prentiss Brown or are we to believe Madam Perkins?

Mr. Speaker, during the last week the Congress has been favored by the President with two messages, the first one on the number of men in Government service who had been exempted from the draft, and the second one on the need for greater food production and the necessity for paying food subsidies. Each of these messages contained such a quantity of statistics that they confused the mind and tended to obscure the essential facts in connection with those subjects.

Yesterday the President in his long statistical message to the Congress really opened up a second front in his campaign for subsidy payments. In that message he presented another "statistical mirage" to prove to the American people that Congress is wrong and that he is right in demanding that a subsidy be forced upon the farmers in order to roll back

prices. His subsidy roll-back program is opposed by the farmers and the milk producers of the Nation, but it is supported by William Green of the American Federation of Labor and Philip Murray of the C. I. O. The issue will come to a show-down very shortly when the bill to extend the life of the Commodity Credit Corporation comes up for action in the House. Every force that can be controlled by the administration is being whipped into shape to beat down the opposition of Congress to subsidies. Full dress rehearsals for the fight are being staged today by the bureaus.

Can it be that this sudden increase in the price of living which is claimed by the statistics of the Labor Department may have been given out at this time for the purpose of alarming the people and the Members of Congress and thus prepare the groundwork for the President's subsidy roll-back program? Are we expected to forget the nice picture Prentiss Brown painted a week or so ago?

I would not charge that such statistics are given out now in an attempt to influence the course of subsidy legislation, but I can see that these statistics do fit in very nicely with the present administration's program. The point I want to make is that here we have the use of Government statistics to support Mr. Brown and the administration a few days ago; and today we have them in absolute reverse which, whether so intended or not, support the administration in legislation it now desires. Which set of statistics is right? Whom are we to believe, if anybody? Is the people's money appropriated to carry on this vast bureaucratic set-up at an enormous expense to be spent in such a way as to prevent Congress from securing accurate information for the Nation? It raises the further question as to whether the statistics quoted by the President are correct, or are they statistical mirages devised by the administration to accomplish its objectives?

The Military Affairs Committee of the House seeking to determine the number of young men eligible for the draft in the various departments of the Federal Government has just filed its interim report. After weeks and months of labor this committee found some 721,237 young men in Government service between the ages of 18 and 38 eligible for military service. The committee members apparently became confused and confounded by the statistical mirages that were thrown up in front of them. On page 10 of House Report No. 790, a report of the subcommittee of the House Military Affairs Committee, we read:

STATISTICAL MIRAGE

There is amazing faith on the part of Government in mere statistics. The trouble with them is they become a substitute for thinking about a problem, or for getting to the reality of the situation. Statistics are merely symbols and in themselves meaningless except as they are interpreted back into the situation from which they developed. Figures on a national scale, covering a multitude of actual situations, lose reality in their consolidation. The same is true in an over-all picture of an agency.

It seems that the report of this committee was almost prophetic, or that the writer had a premonition that there were

more statistics to come, and that they would come from the White House.

George D. Riley, editor of U. S. and Us in the Washington Times-Herald, had this to say, and I quote:

The President is in an argument with the House Military Affairs Committee over statistics. Figures have been used several years now to confuse those who want to prove or disprove something; in this case the number of occupationally draft-deferred Federal officials. Last week we said there was a race on to see whether "Fire Chief" S. I. Rosenman could whip up a batch of statistics for public consumption or whether Selective Service would tell the story first. The President and the "Fire Chief" lost; got there too late; and the Costello committee adopted Selective Service's findings.

It appears from his message to the Congress on the number of men in Government service who have been deferred that the President has been a little irritated by the criticism of the Federal Government bureaus under his control for not disgorging more young men of military age. Being so irritated he proceeded to give the Costello committee, a subcommittee of the Military Affairs Committee, a slight verbal spanking and covered them up with statistics in which he sought to prove his point that there was not an undue number of men being deferred in the Federal departments of military age—another sample of a statistical mirage.

Mr. Speaker, it is difficult for the Congress to know what is the true situation with respect either to the cost of living or the number of young men deferred in the Federal bureaus who should be in the military service, because of the use of these statistical mirages. We hope that the President was nearer correct in the statistics he quoted on the Federal bureaus and their young men who are eligible for military service than he was recently when he made the statement that oil production in the Nation had increased by 66 percent since the beginning of the war, because on that occasion his figures did not give a true picture of the oil situation. In fact, according to Secretary Ickes, the increase was only 19 percent. Ickes' figures have been found correct.

It is to be hoped that Judge Rosenman, who was referred to by the columnist as the "Fire Chief" for the administration, if he compiled the data the President used in his message to the Congress on the number of men of military age in Government service who have been deferred, and also the figures the President used in yesterday's subsidy message, checked and rechecked his computations. We are becoming accustomed to confusion in government. Perhaps there is some excuse for that under war conditions. However, we see neither excuse nor justification for the use of statistical mirages to confuse the mind and becloud the issues.

EXTENSION OF REMARKS

(Mr. BOYKIN asked and was given permission to extend his own remarks in the RECORD.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. DAY] is recognized for 30 minutes.

THE RAW DEAL HANDED RAILROAD WORKERS BY THE NEW DEAL

Mr. DAY. Mr. Speaker, the million railway workers represented by the 15 nonoperating railway labor unions have recently made public a history of the 13 months' old wage dispute involving practically all of the railways in the United States. On the basis of this public document it now becomes apparent that these loyal and faithful railway employees in the Nation's vital transportation industry have been handed a raw deal by the New Deal.

After the President's Emergency Board made its report last May 24, recommending an 8-cent hourly increase as a compromise basis of settlement in the dispute growing out of the employees' request for a raise of 20 cents an hour, the representatives of these railway workers notified the President of their disappointment with the small amount of the increase recommended.

On May 27, when the employees made their views known to the President he requested them to accept the increase as recommended by the Board and in view of the national emergency the employees' representatives agreed to do so, and as a result of the White House conference they regarded the wage question as closed.

Immediately thereafter, according to press reports, the President again indicated his willingness to approve the 8-cent hourly increase and likewise made public the fact that he contemplated taking action which would establish for the railway workers the same overtime provisions after 40 hours per week that had been provided for in an Executive order for other war workers.

Following this White House conference on May 27 the representatives of the employees then made arrangements with the national committees representing the railways for a meeting to be held in New York on June 24, for the purpose of writing the Emergency Board's recommendations into an agreement.

However, on June 23, the employees were advised that Stabilization Director Vinson, on June 22, had issued an order canceling the Board's recommendations and directing that they should not become effective.

This unexpected action on the part of Mr. Vinson, following the impression that had been left with the employees at their White House conference, contributed greatly to a further disturbance of morale on the part of railway workers who were already highly resentful because of the long delays that had already been encountered in their efforts to establish a more reasonable minimum wage, and to correct the existing wage inequities prevailing in the railroad industry.

These wage inequities were found to exist in the report to the President by the Emergency Board, appointed February 20, 1943, from which report we quote:

1. The railroad industry, which constitutes the heart of our transportation system, is indispensable to the effective functioning of our national life, even under normal conditions; in these critical days, the entire war effort of the Government and the people of the United States is dependent upon unin-

terrupted, efficient, and vigorous performance by the railroads.

2. The record of the railroads during the war emergency, including the period of defense activity, has been a magnificent one.

3. This outstanding performance of the railroads has been the result of the constructive, self-denying, and patriotic attitudes of both the managements and the men.

* * * Fundamentally, a spirit of cooperation has vitalized the efforts of the managements and the men, without free and complete and wholehearted cooperation between the carriers and their employees the magnificent record of the railroads, as made thus far, could not have been achieved.

4. It is of the utmost importance that this spirit of cooperation be not impaired. * * * Every care must be exercised not to weaken or endanger this morale either through indirection or through outright injustice.

6. As a result of the influence of this legislation as applied to the rail carriers, railroad wages have maintained a degree of stability, entirely apart from the anti-inflation measures of the war emergency, that has been equaled or surpassed by few industries. Wages on the railroads have moved more slowly, both up and down, than in industry as a whole, and the level of railroad wages, both up and down, has changed more moderately than in other industrial spheres.

15. The Stabilization Act of October 2, 1942, sought to stabilize wages, as far as practicable, on the basis of the levels which existed on September 15, 1942. It did not, however, freeze all wages as of that date. It authorized the President to provide for such adjustments as might be found necessary to aid in the effective prosecution of the war or to correct gross inequities.

20. The wage increases recommended below for the 73 classes of nonoperating railroad employees, on the basis of a careful study and analysis of the entire record, are designed to correct gross inequities and to aid in the effective prosecution of the war. We certify that they conform with the standards prescribed in Executive Order 9250, the general stabilization program made effective thereunder, and with the directives on policy issued by the Economic Stabilization Director thereunder. They are the minimum and noninflationary adjustments necessary for these purposes. They are within the existing price structure: That is, they do not provide a basis for increases in railroad rates or for resistance to justifiable reductions in such rates; and they are within existing levels of production costs; that is, they do not provide a basis for increasing production costs in comparable industries or occupations. The correction of the gross inequities disclosed by the facts of record is indispensable to the effective prosecution of the war.

21. The average earnings of the 73 classes of nonoperating railroad employees involved in this dispute, embracing skilled, semi-skilled, and unskilled workers, as of October 1942, were 73.8 cents an hour. The prevailing minimum wage for these employees is 46 cents an hour.

22. The total number of railroad workers in these 73 classes in October 1942, a month of higher than average employment, was 1,097,180. About one-half of these workers—544,106, or 49.6 percent—received less than 70 cents an hour; 411,684, or 37.5 percent, received less than 60 cents an hour; 255,813, or 23.3 percent, received less than 55 cents an hour; 160,438, or 14.6 percent, received less than 50 cents an hour; 104,269 received the prevailing minimum rate of 46 cents an hour, and 16,871 received less than 46 cents an hour—this bracket of those receiving 46 cents and less comprising more than 11 percent of all the workers.

25. On July 16, 1942, in the Little Steel case, the National War Labor Board fixed the minimum rate in the steel industry for com-

mon labor at 78 cents per hour, which is substantially in excess of the average hourly earnings of the 73 classes of railroad employees.

26. On a craft or class basis, 40 of the 73 classes of railroad employees, embracing in the aggregate slightly more than 400,000 workers, have not received the full 15 percent increase in straight-time average hourly earnings since January 1941, provided for under the Little Steel formula as a cost-of-living adjustment.

27. The 73 classes of railroad employees have an established 48-hour workweek. If these employees were to be compensated at time and one-half for work in excess of 40 hours per week, that is, on the basis that is being increasingly applied in industry as a whole, an adjustment of 8.33 percent on basic rates of pay would result. This would mean an increase in pay of slightly more than 6 cents an hour, independently of any change in basic rates of pay.

The Director of the Office of Defense Transportation, as recently as September 1, 1943, has made this statement:

The indications are clear that the railroads of the country are headed for a manpower crisis unless extraordinary measures are taken and taken quickly to forestall it.

The program advanced by the Director of the Office of Defense Transportation includes the recruiting and enlisting of women employees, provision for time-and-a-half payments for overtime for certain employees, the utilization of Mexican workers and of prisoners of war for certain work of groups of employees involved in the present proceedings. The emergency board reported to the President on May 24, 1943, that these employees were inadequately paid on many bases, that various crafts received sharply lower wage rates than those paid to comparable groups in nonrailroad industries. I am officially informed that more than 1,045,000 new employees were hired by the railroads during a recent 12-month period, with only a net gain in total employment of approximately 100,000.

There is no disputing the fact that railroad transportation is a vital necessity in the effective prosecution of the war. There is no disputing the fact that the flight of labor (not collectively but individually) from the railroad industry is caused in large measure by the inadequacy of existing wage payments. There is no disputing the fact that the inability of the railroads to obtain and to retain the services of competent employees is steadily reducing the efficiency and safety of railroad service, and that the establishment of wage payments which will permit the railroads to employ and to retain the employment of an adequate number of trained workers is vitally necessary to the effective prosecution of the war.

Following Director Vinson's cancellation of the 8-cent hourly increase the representatives of the railway workers again discussed the matter with the President in a further effort to reach an understanding which would serve as a basis for adjusting the dispute. The matter then apparently dragged along with further conferences being held with Mr. Vinson and with Mr. Byrnes, the Director of War Mobilization. Finally, on July 29, Mr. Byrnes, repre-

senting the President, requested the union spokesmen and the railways committee to meet and reach an agreement. The employees' representatives agreed to this request with the clear understanding that if such an agreement was to be made it would have to provide for the same wage increase as recommended by the emergency board.

As a result of this continued effort an agreement was signed in Washington on August 7 by the representatives of the railways and the employees which provided for the 8-cent wage increase effective as of February 1, 1943, as recommended by the President's fact-finding board. This agreement provided that it was subject to any existing requirements of law and that it was in settlement of the dispute that had been pending since the employees first served their notices on the railways on September 25, 1942.

In spite of the fact that the agreement signed by the railways and the employees on August 7 was in keeping with earlier understandings had with the President and other Government representatives, the spokesman for the New Deal again broke faith with the railway employees and refused to give formal approval to the agreement in behalf of the Government. As a result of this reversal of position on the part of Mr. Vinson, the agreement did not become operative.

Further conference then developed the fact that the New Deal bureaucrats were unwilling to grant a flat 8-cent hourly increase, but that they were agreeable to a step-rate increase embracing the \$204,000,000 represented in the emergency board proposal, but granted on a step-rate basis which would give 10 cents an hour to the railway employees receiving 46 cents an hour and graded down to 7 cents an hour for higher-paid workers.

This new position on the part of the Government resulted in another conference between the President and the union's spokesman on September 16, at which time the President insisted that the lower-paid groups should have a larger wage increase than those in the higher wage brackets. Therefore, an understanding was reached along that line in order that the case might be settled that day, namely, September 16. Pursuant to this White House understanding the employees' representatives submitted a wage scale which provided that those being paid 46 cents an hour or less would be increased to 56 cents; the 47-cent rate would be increased 9 cents per hour; the rates of 48 cents to 75 cents, inclusive, would be increased 8 cents per hour; and the rates of 76 cents per hour and above were to be raised 7 cents.

At the President's request on September 16, the representatives of the employees met later that same day with Mr. Byrnes and discussed the proposed scale of wages in keeping with the understanding reached at the White House, but here again it developed that the promises were not kept, with the result that another bitter disappointment was added to those which had already had a serious effect upon the morale of the

workers in this vitally important industry.

Instead of following through with the program for adjusting the dispute on the basis of the understanding reached with the employees' spokesman, the President later, on October 16, created another special emergency board to reconsider the entire matter. This new board, however, was not given free and unhampered opportunities to consider the matter on its merits, but under the President's Executive order they were called upon to consider the wage dispute, not only in the light of the stabilization program, but also in the light of the opinion made public earlier by Director Vinson, when he refused to approve the first emergency board's recommendations.

During the 13 months that this dispute has been pending, the labor situation in the railroad industry has become more and more serious until now we are not only confronted with a labor crisis but likewise with the threat of a Nation-wide railroad strike.

As a result of all this backtracking, this failure to keep one promise after another, this political shadow-boxing, and one disappointment on top of another, we now have a chaotic condition in the railroad industry where labor relations have been remarkably stable for a period of 20 years.

If this situation were not so dangerous and so critical from the standpoint of the successful prosecution of the war, it would be amusing to note that these hopelessly unstable conditions, in an industry long known for its stable labor relations, has grown out of the stabilization program directed by the head of the New Deal and administered by his flock of New Deal "lame ducks."

I sincerely hope this railroad wage dispute can be adjusted without a strike and that an early solution to this serious question may be found in order that the morale of the railway workers can be restored to its normally high standard. I feel that in view of the present grave situation a solution short of a Nation-wide railway strike can be found and should be found.

In the face of the record which has now been made public, I think we can safely assume that no matter what the final outcome of this issue may now be, the powerfully organized railway workers will have a better understanding of the political manner in which the New Deal functions. On the basis of this record of political juggling, broken promises and repeated disappointments, the workers in the railroad industry should now be fully convinced that the New Deal has become such a raw deal that it is long overdue for a trip to the laundry.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Nevada [Mr. SULLIVAN] is recognized for 20 minutes.

RAILWAY LABOR CRISIS

Mr. SULLIVAN. Mr. Speaker, more than a year ago, or on September 25, 1942, the representatives of 15 standard railway labor organizations, in compli-

ance with the demands on the part of more than 1,000,000 organized railway workers, requested an upward revision in the wages existing at that time.

Now, more than a year later, we have a dangerous labor crisis in the vitally important railroad industry due to the fact that the wage dispute has been permitted to drag for more than a year without being adjusted. This threatening situation has reached the critical point where it is no longer merely a wage dispute between a group of highly organized workers and an equally highly organized group of managers. It is now a matter of serious national concern since it has produced a combination of circumstances that threatens the continued successful prosecution of the war. The safe and efficient operation of the railroad industry is indispensable to our successful war effort. Failure to adjust this wage dispute over a period of more than a year has now produced a labor crisis which involves the national well-being, and it is therefore a matter that Congress can well afford to give its attention to. In fact, it is a matter that Congress cannot afford to ignore.

The requests for wage changes were served by the representatives of these 15 railway labor unions more than a year ago in accordance with the provisions of the Railway Labor Act and in keeping with the appropriate requirements of the existing wage and working agreements that have long been in effect between the employees and the employers of the railroad industry.

Following the procedure laid down in the Railway Labor Act, which has avoided any major strike in the railway industry for more than 20 years, the organized railway employees first held conferences with their separate system managements in an effort to reach an agreement in connection with their request for wage adjustments. Without a single exception, the representatives of these separate railway managements refused the requests of the employees in their entirety, and thereafter the dispute thus created was made a matter of national conference or discussion between national committees representing the employees as a whole and substantially all railroad companies.

In these national conferences the proposals of the employees were again rejected, thereby creating a condition which, in peacetimes, would have led to the immediate taking of a strike vote for the purpose of determining the wishes of the involved employees for further action.

By Executive order the President established a national railway labor panel in February 1942, from which so-called emergency boards might be designated to hear, investigate, and make recommendations upon any dispute which in peacetimes might lead to the taking of a strike vote and a strike threat. The same basic procedure was to be followed as is provided for in section 10 of the Railway Labor Act. A board was finally selected from this railway labor panel and began its public hearings in the dispute in Chicago on March 1, 1943.

Both parties to the dispute were afforded a full opportunity to be heard in their own behalf, to submit all the evidence and testimony that they desired in support of their own interests and to cross-examine witnesses of the opposing side. The organizations and the railroads were both represented in the hearings by an impressive array of legal counsel, and each party to the dispute was allowed all the time it desired in presenting voluminous testimony through statistical and economic experts and other witnesses. The public hearings ran from March 1 to May 7 with a few brief recesses, and during that period 44 days were devoted to public hearings and investigation. The Government's stabilization program was strongly emphasized throughout the hearings by the railroads as a major part of their case against any increases. The employees strongly emphasized the necessity for more equitable wages as a means of retaining the experienced employees who were already beginning to leave the industry for the higher wages prevailing in other war activities.

During the 44 days of public hearings, a total of 234 exhibits was introduced, 122 by the employees' organizations and 112 by the carriers. These exhibits ranged in size from 1 to more than 100 pages. The official transcript of the hearings consisted of 6,338 pages. The Emergency Board engaged a staff of economic and statistical experts for the purpose of analyzing and digesting the voluminous evidence and testimony. The Board then considered the matter in executive sessions for a period of about 3 additional weeks following May 7.

Thereafter, on May 24 of this year, or 9 months after the wage case was first inaugurated, the Board submitted its report to the President and recommended an increase of 8 cents an hour, informing the President that the inequalities found to exist in railroad wages and the substandard character of the railroad wage structure justified an even greater increase, but, at the same time, recommending that the increase be restricted to 8 cents in the light of the Government's stabilization program.

Mr. Speaker, the chief executive officers of the 15 involved organizations then informed the President of the bitter disappointment of railroad workers with the small amount of increase recommended by the Board but stated that in view of the war emergency and all related circumstances, it would be accepted as a basis for the settlement of the dispute.

Under the provisions of Executive Order 9299, the Director of Economic Stabilization has 30 days after a railroad emergency board files a report in which to act upon any recommended wage increases. During the early part of this 30-day waiting period provided for in the Stabilization Act, the President, in one of his press conferences, indicated his approval of the Board's recommendations, and this fact was then widely publicized throughout the country, with the result that the million railway workers involved, together with their representatives, took it for granted that the dis-

pute could be concluded and terminated on the basis of the 8-cent hourly increase as recommended by the Board.

However, after waiting 29 days, the Director of Economic Stabilization issued an order on June 22, canceling the wage increase. It is my opinion, Mr. Speaker, that prior to the issuance of this order, the Director of Stabilization had not reviewed the 6,338 pages of transcript covering the public hearings, nor had he examined any of the 234 exhibits introduced at the public hearings by the involved parties. He held no conferences and sought no discussions with the representatives of the million railway workers involved in the dispute who were adversely affected by his arbitrary cancellation of the wage order after the President had publicly indicated his approval of it.

However, the attorneys and other representatives of managements were allowed to file and did file with the Stabilization Director's office a brief in opposition to the 8 cents recommended by the Board, but the employees' representatives and their legal counsel were kept in the dark with respect to the brief as filed by the railways in that they were not provided by management with a copy of it; nor were they informed that it had been filed; nor were they afforded by the Stabilization Director's office an opportunity to review it, reply to it, or comment upon it. In fact, they knew nothing about such brief until after the Stabilization Director had canceled the increase recommended by the President's Emergency Board.

During the 8-month period that passed between the time the employees served their notice for a wage increase on September 25, 1942, and the issuance of the Emergency Board's recommendations on May 24, 1943, the railroad industry lost many of its experienced workers who left their railroad jobs for higher wages and the more favorable overtime payments prevailing in other major war industries. During this period, however, many railroad workers remained on their jobs apparently with the expectation that their substandard and unequal wages would be improved as a result of the Emergency Board's recommendations and investigations. While not satisfied with the amount of increase recommended by the Board, they still preferred to remain on their railroad jobs, and they were fully confident that this 8-cent raise would be granted in view of the President's public statement at a press conference.

As a result of this long delay which had seriously affected the morale of the workers, and under all the existing circumstances, the wholly unexpected and arbitrary action on the part of the Stabilization Director fell like a bombshell on the ranks of railroad labor on June 22, with the result that the railroad labor situation became more serious. The industry had been losing its experienced workers at an alarming rate, and thereafter the labor situation became more critical from day to day.

In addition to losing their trained and experienced forces, the railroad industry also found itself unable to recruit new

workers of the high standard required for safe and efficient operation of this indispensable industry, with the result that they were then forced to the extraordinary employment policy of employing women in section gangs and in and around railway shops where hard physical labor constitutes an inescapable part of the job. They then began hiring 16-year-old children and over-age men. They urged and obtained the privilege of importing thousands of Mexicans, and they petitioned for the right to work war prisoners. When all these unusual sources of substandard labor proved inadequate, they then began the practice of contracting out their work at wage rates much higher than the railroad industry itself would have been required to pay even with eight cents added to the basic rates set forth in their agreements with their own organized employees. However, notwithstanding all these unusual and extraordinary attempts to engage even substandard types of workers, the industry was ultimately forced to make public acknowledgment of the fact that they were threatened with a dangerous labor crisis.

Following the Stabilization Director's cancellation of the wage increase, which was on June 22, the railroad labor shortage became more critical from day to day, and the morale of those remaining in the industry fell to lower and lower levels. The membership of these well-disciplined and well-behaved standard railway labor unions become more and more resentful, and finally, in July, one of the involved organizations of employees, assembled in national convention, authorized and urged its chief executive officer to withdraw the organization's "no strike" pledge and proceed immediately with the spreading of a national strike ballot. Demands for strike action likewise increased in each of the involved railway labor organizations with the membership insisting that they were no longer obligated to adhere to their "no strike" pledge in view of the fact that the recommendations of the Emergency Board had been repudiated and canceled by the head of a Government bureau which did not exist at the time the "no strike" pledge was given.

In the early part of August the unions and the railroad managements met in Washington, and in response to what they understood to be a suggestion or request from the President's representative they signed an agreement increasing the wages of the men in the so-called nonoperating group. This agreement was made "subject to requirements of existing law" and efforts have since been unsuccessfully made to obtain the approval which the railroad managers consider necessary from Government before making it effective. Although this agreement was made at the suggestion of the Government as a means to settlement of the whole matter, the Government has since declined to approve it.

As a result of the long delay and these repeated disappointments, we now have 1,000,000 railway workers, as represented by these 15 so-called nonoperating organizations, in a justifiably resentful attitude. The industry has lost a tremen-

dous proportion of its trained and experienced workers. The morale of the railway employees is probably at the lowest level in railroad history. Railroad wrecks and accidents are occurring at an alarming rate. Congestion of freight in large railway terminals has already reached such an extent that office workers, minor officials, and all available labor are being frantically urged to work on Sundays and at nights in an effort to relieve the congestion. The railroad industry which collapsed in the First World War is now threatened with a collapse at this critical period of the present war. While dissatisfied with the amount of increase recommended by the Board, the employees are, nevertheless, willing to accept it. Railway managements which opposed it for 10 months are now so concerned with the labor crisis that they are anxious to grant the 8-cent increase. The President has publicly indicated in press conferences that he favors it. The Director of Stabilization still refuses to give it his approval.

Mr. Speaker, under these circumstances, I repeat that this is no longer merely a wage dispute between railroad workers and railroad managements. It is now a national crisis that threatens the successful prosecution of the war, and it is a matter of such tremendous concern and of such vital importance that Congress can no longer afford to ignore it. It is with this thought in mind that I have deemed it desirable to place the history of this dispute and the railroad crisis that has resulted from it before the Members of Congress for your careful consideration, with the thought that Congress may deem it imperative to concern itself directly with the problem and take appropriate action.

PERMISSION TO ADDRESS THE HOUSE

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from Oregon [Mr. STOCKMAN] be permitted to address the House for 10 minutes on Thursday next, following any special orders heretofore entered.

The SPEAKER pro tempore (Mr. WASIELEWSKI). Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

ADJOURNMENT

Mr. RAMSPECK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 31 minutes p. m.), under its previous order, the House adjourned until Thursday, November 4, 1943, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Petroleum Subcommittee of the Committee on Interstate and Foreign Commerce, at 10 a. m. Thursday, November 4, 1943. Business to be considered: Continuation of petroleum hearings—Ralph K. Davies, first witness.

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

There will be a meeting of the subcommittee at 10 a. m. on Tuesday, November 9, 1943, for consideration of H. R. 3140.

COMMITTEE ON PATENTS—NOTICE OF POSTPONEMENT OF MEETING

The executive session scheduled for today by the Committee on Patents was postponed until Tuesday, November 9, 1943, in the committee room, 416 House Office Building, at 10:30 a. m. Proposed legislation by the National Patent Planning Commission will be discussed.

COMMITTEE ON THE JUDICIARY

Subcommittee No. 2 of the Committee on the Judiciary will conduct hearings on H. R. 786, a bill to amend section 40 of the United States Employees' Compensation Act, as amended (to include chiropractic practitioners) at 10 a. m. on Wednesday, November 10, 1943, in room 346, old House Office Building, Washington, D. C.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

890. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of a proposed bill to amend sections 675 and 676 of the act entitled "An act to establish a Code of Law for the District of Columbia," approved March 3, 1901, regulating the disposal of dead human bodies in the District of Columbia; to the Committee on the District of Columbia.

891. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of a proposed bill to amend an act entitled "An act to establish standard weights and measures for the District of Columbia; to define the duties of the Superintendent of Weights, Measures, and Markets, of the District of Columbia; and for other purposes," approved March 3, 1921, as amended; to the Committee on the District of Columbia.

892. A letter from the Archivist of the United States, transmitting report on records proposed for disposal by various Government agencies; to the Committee on the Disposition of Executive Papers.

893. A letter from the Acting Administrator, Office of Price Administration, transmitting a revised copy of form estimating personnel requirements in the Territories and possessions; to the Committee on the Civil Service.

894. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of a proposed bill to amend an act entitled "An act to provide for the regulation of motor-vehicle traffic in the District of Columbia, increase the number of judges of the police court, and for other purposes"; to the Committee on the District of Columbia.

895. A letter from the Attorney General, transmitting a draft of a proposed bill to amend the act making it a misdemeanor to stow away on vessels; to the Committee on the Merchant Marine and Fisheries.

896. A letter from the Attorney General, transmitting a report stating all of the facts and pertinent provisions of law in the cases of 407 individuals whose deportation has been suspended for more than 6 months under the authority vested in him, together with a statement of the reason for such suspension; to the Committee on Immigration and Naturalization.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on Military Affairs was discharged from the consideration of the bill (H. R. 3505) to authorize the President of the United States to present a Congressional Medal of Honor to Jennings Jack Bennett, and the same was referred to the Committee on Naval Affairs.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CELLER:

H. R. 3591. A bill to provide 6 months' pay to all honorably discharged veterans of World War No. 2; to the Committee on Military Affairs.

By Mr. O'HARA:

H. R. 3592. A bill to amend the Judicial Code in respect to the original jurisdiction of the district courts of the United States in certain cases, and for other purposes; to the Committee on the Judiciary.

By Mr. MANSFIELD of Texas:

H. J. Res. 181. Joint resolution directing the Federal Power Commission to inquire into and report to the Congress on various matters with respect to natural gas; to the Committee on Interstate and Foreign Commerce.

By Mr. BLAND:

H. J. Res. 182. Joint resolution to create the War Shipping Field Service; to the Committee on the Merchant Marine and Fisheries.

By Mr. SIKES:

H. Res. 340. Resolution creating a select committee on post-war plans; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLOOM:

H. R. 3593. A bill granting an increase of pension to Walter Clement Haigh; to the Committee on Pensions.

H. R. 3594. A bill granting a pension to Sophie Pincus; to the Committee on Invalid Pensions.

By Mr. CLASON:

H. R. 3595. A bill for the relief of Robert Futterman; to the Committee on Claims.

By Mr. DINGELL:

H. R. 3596. A bill conferring jurisdiction upon the Court of Claims of the United States to consider and render judgment on the claim of the Zephyr Aircraft Corporation against the United States; to the Committee on Claims.

By Mr. LEMKE:

H. R. 3597. A bill granting a pension to Ole M. Anderson; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

3378. By Mr. REED of Illinois: Petition of A. Hrivnak, of Joliet, Ill., and 20 other citizens, protesting against the enactment of any and all prohibition legislation; to the Committee on the Judiciary.

3379. By Mr. TALLE: Petition of Sarah Huftalen and other citizens of Delaware County, Iowa, urging the enactment of House bill 2392; to the Committee on the Judiciary.

3380. Also, petition of Sarah Huftalen and other citizens of Delaware County, Iowa, urging the enactment of House bill 2082; to the Committee on the Judiciary.

3381. By Mr. COCHRAN: Petition of George Kiburz and 22 other St. Louis citizens, protesting against the passage of House bill 2082, which seeks to enact prohibition for the period of the war; to the Committee on the Judiciary.

3382. Also, petition of Joseph Ringenbach and 24 other St. Louis citizens, protesting against the passage of House bill 2082, which seeks to enact prohibition for the period of the war; to the Committee on the Judiciary.

3383. Also, petition of Fred Mogab and 20 other St. Louis citizens, protesting against the passage of House bill 2082, which seeks to enact prohibition for the period of the war; to the Committee on the Judiciary.

3384. Also, petition of John B. Ross and 23 other St. Louis citizens, protesting against the passage of House bill 2082 which seeks to enact prohibition for the period of the war; to the Committee on the Judiciary.

3385. Also, petition of William Getchman and 40 other St. Louis citizens, protesting against the passage of House bill 2082 which seeks to enact prohibition for the period of the war; to the Committee on the Judiciary.

3386. Also, petition of Paul Kokalis, of Washington, D. C., and 20 other citizens, protesting against the passage of House bill 2082 which seeks to enact prohibition for the period of the war; to the Committee on the Judiciary.

3387. Also, petition of the Municipal Architect's Office, Washington, D. C., and signed by 20 others, protesting against the passage of House bill 2082 which seeks to enact prohibition for the period of the war; to the Committee on the Judiciary.

3388. By Mr. LEONARD W. HALL: Petition of sundry members of the Rockville Center (N. Y.) Baptist Church, urging enactment of House bill 2082; to the Committee on the Judiciary.

3389. By Mr. TOLAN: Petition of the Central Labor Council and Building Trades Council of Alameda County, Calif., and signed by 856 residents of Alameda, Calif., requesting active support of legislation to (1) repeal of the Smith-Connally bill; (2) the American Federation of Labor amendments to the Social Security Act; and (3) subsidies for the purpose of rolling back the cost of living; to the Committee on Military Affairs.

3390. By Mr. THOMASON: Petition of the Commissioners' Court of El Paso, Tex., urging favorable action on House bill 2426 and Senate bill 971, authorizing an appropriation of \$3,000,000,000 for highway construction; to the Committee on Roads.

3391. By Mr. BROWN of Ohio: Petition of 29 citizens of Union County, Ohio, favoring the passage of House bill 2082, to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war; to the Committee on the Judiciary.

3392. By Mr. POULSON: Petition of Wilma A. Morgan and others, urging the passage of the Bryson bill (H. R. 2082) prohibiting the manufacture, sale, or transportation of alcoholic liquor in the United States for the duration of the war and until the termination of demobilization; to the Committee on the Judiciary.

3393. By Mr. SHORT: Petition of Mrs. W. P. Davis and others of Neosho and Newton County, Mo., urging support of House bill 2082, introduced by Hon. JOSEPH R. BRYSON, of South Carolina, to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war, by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war and until the termination of demobilization; to the Committee on the Judiciary.

3394. By the SPEAKER: Petition of the State, County, and Municipal Workers of America, petitioning consideration of their

resolution with reference to repeal of the Chinese Exclusion Act and support of House bill 2011, making citizenship possible for persons of Oriental nationality; to the Committee on Immigration and Naturalization.

SENATE

WEDNESDAY, NOVEMBER 3, 1943

(Legislative day of Monday, October 25, 1943)

The Senate met at 12 o'clock noon, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

God of light, in whom is no darkness at all, with gratitude we lift our hearts to Thee for the daily sacrament of beauty when morning glory gilds the skies and the splendor of dawn awakens the earth to newness of life. O Thou Sun of Righteousness, dawn upon our shadowed lives with the light of Thy revealing truth. Dispel the darkness of our minds, burn up the dross of our little loyalties with the fire of a consuming sacrifice for causes greater than ourselves. May we die to the things that seem—earth's sham and show—may we rise above poisoning hatreds, above greed and pride and prejudice and all the base contemptments of sect and creed.

Release us from an inner tyranny which makes us cry out in our slavish chains, "The things I would do I do not, for when I would do good evil is present with me." Break down every debasing idol, cast out every lurking foe. Smite down the arrogant specter of self; set our spirits free. May love cast out fear. Send us forth more than conquerors in tune with the Infinite, at home with the eternal. We ask it in the Redeemer's name. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The Secretary, Edwin A. Halsey, read the following letter:

UNITED STATES SENATE,
PRESIDENT PRO TEMPORE,

Washington, D. C., November 3, 1943.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. ELMER THOMAS, a Senator from the State of Oklahoma, to perform the duties of the Chair during my absence.

CARTER GLASS,

President pro tempore.

Mr. THOMAS of Oklahoma thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. CONNALLY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Tuesday, November 2, 1943, was dispensed with, and the Journal was approved.

REPORT OF AMERICAN WAR MOTHERS

The ACTING PRESIDENT pro tempore laid before the Senate the annual report of the American War Mothers covering the period October 1941–October 1942, submitted pursuant to law,

which was referred to the Committee on Military Affairs.

RESOLUTION BY BOARD OF DIRECTORS OF KANSAS ENGINEERING SOCIETY—PROPOSAL TO MOBILIZE SCIENTIFIC AND TECHNICAL RESOURCES

Mr. CAPPER. Mr. President, I ask unanimous consent to present for appropriate reference a resolution adopted by the board of directors of the Kansas Engineering Society expressing its opposition to the bill (S. 702) to mobilize the scientific and technical resources of the Nation, to establish an office of scientific and technical mobilization, and for other purposes, which I also ask to have printed in the RECORD.

There being no objection, the resolution was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

Whereas the board of directors of the Kansas Engineering Society, being in session on this 9th day of October 1943, at the Jayhawk Hotel in Topeka, Kans., an analysis of the Kilgore bill, S. 702, was taken up and thoroughly discussed and it being the consensus of opinion that this bill is a measure to socialize and regiment engineering and scientific research and design, it is the opinion of this society that such socialization and regimentation will retard progress and undermine individual thinking and initiative and therefore be detrimental to the public welfare of this Nation: Therefore be it

Resolved, That the Kansas Engineering Society go on record as opposed to this or any similar type of legislation.

RESOLUTION BY BOARD OF MANAGERS OF AXTELL CHRISTIAN HOSPITAL, NEWTON, KANS.—PROPOSAL TO PLACE HOSPITALS UNDER SOCIAL SECURITY SYSTEM

Mr. CAPPER. Mr. President, I also ask unanimous consent to present for appropriate reference a letter from the superintendent of the Axtell Christian Hospital, of Newton, Kans., together with a resolution adopted by the board of managers of the hospital, in opposition to Senate bill 1161, which provides for the placing of hospitals under the social-security program. I also ask that the letter and accompanying resolution be printed in the RECORD.

There being no objection, the letter, with the accompanying resolution, was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

AXTELL CHRISTIAN HOSPITAL,
Newton, Kans., October 29, 1943.

HON. ARTHUR CAPPER,

United States Senator from Kansas,
Washington, D. C.

MY DEAR SENATOR CAPPER: There is before Congress a bill known as the Wagner-Murray-Dingell bill, that proposes to put practically all hospitals under a social-security program. If this bill becomes a law, it will not only make hospitalization very expensive to the individual, but it will place a very large sum of money under the direction of one man. It is generally felt that it would force every hospital to become, in fact, a Government hospital. I am enclosing a resolution passed by our hospital board after they had reviewed this bill and considered what it would mean to our hospital. I sincerely hope you will use your influence to defeat this measure.

Very sincerely,

AXTELL CHRISTIAN HOSPITAL,
JOHN R. GOLDEN,
Superintendent.